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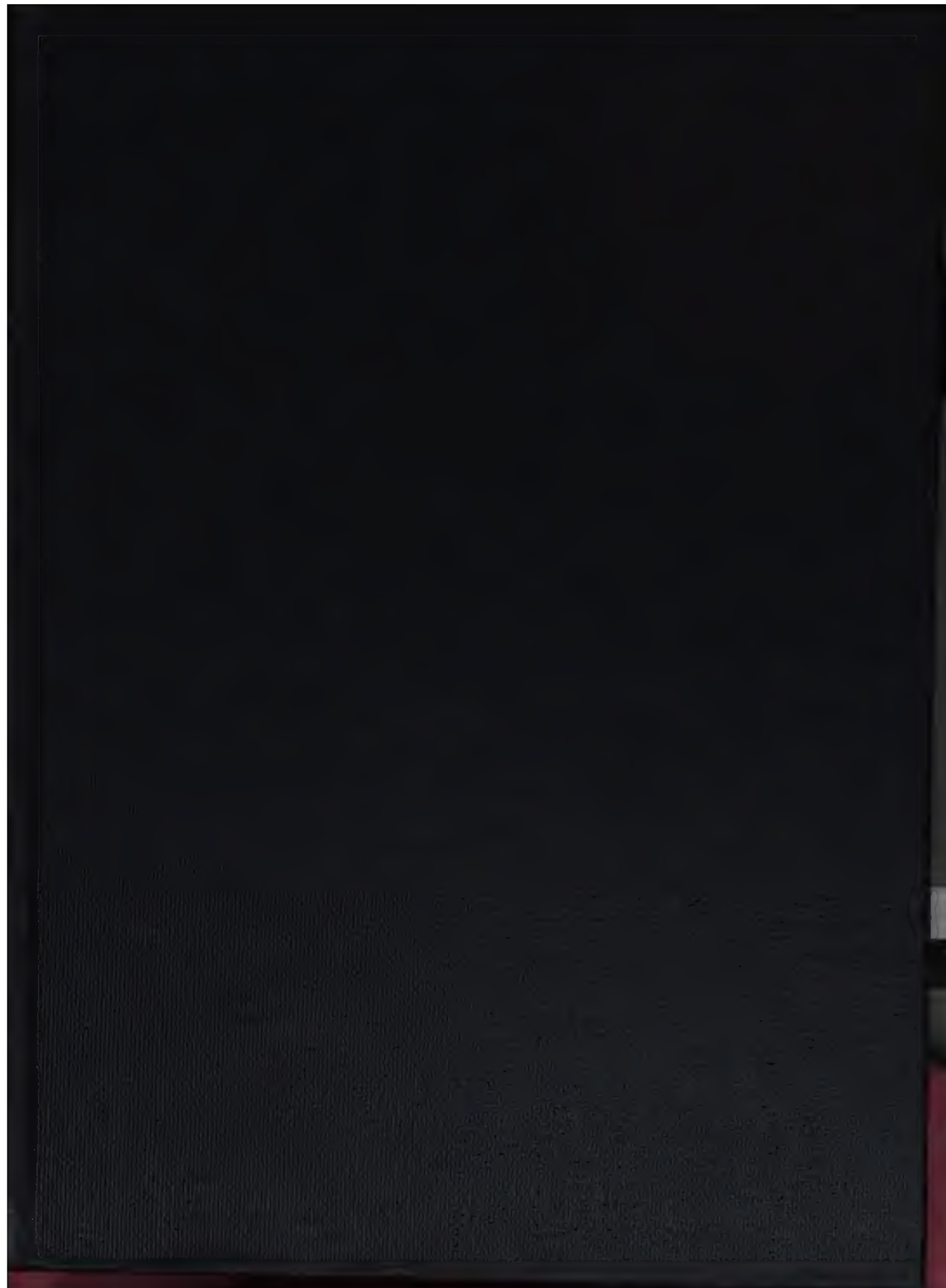
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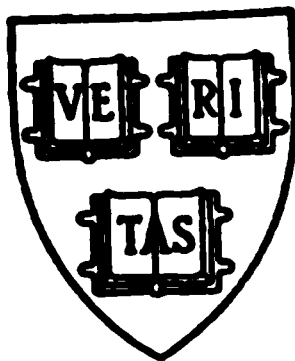
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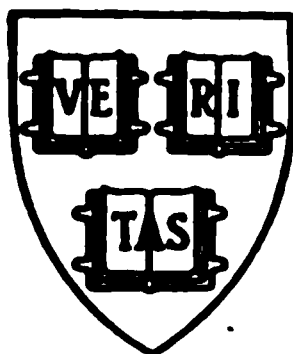








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# State of Rhode Island and Providence Plantations at the End of the Century: A History

ILLUSTRATED WITH MAPS, FAC-SIMILES  
OF OLD PLATES AND PAINTINGS AND  
PHOTOGRAPHS OF ANCIENT LANDMARKS

EDITED BY  
EDWARD FIELD, A.B.

Volume One

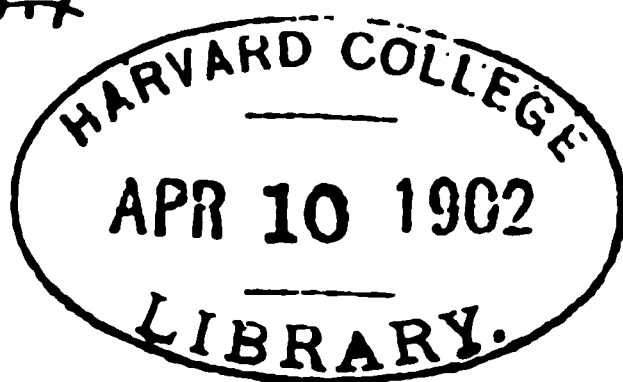


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STATE OF RHODE ISLAND *and*  
PROVIDENCE PLANTATIONS *at the*  
END OF THE CENTURY *A History*

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# Preface

The present work is submitted to the people of Rhode Island with the hope that it will meet with their approval.

No attempt has been made since the publication of the History of Rhode Island by Hon. Samuel G. Arnold in 1859 to present in one work a study of the growth and development of the state. Arnold's History concluded with the year 1790, leaving at the present time, a period of more than one hundred years of growth, regarding which there is no convenient place for reference to the historic facts. This work begins with a concise political history of the state from its settlement to the end of the nineteenth century, written by Clarence Saunders Brigham, A. B., Librarian of the Rhode Island Historical Society. This is followed by a series of historical monographs, relating to the various departments into which the history of the state has been divided for convenience of treatment. These divisions and their arrangement in the volumes are as follows :

Volume I. contains besides the General History of the state, written by Mr. Brigham, the Military History, written by the editor-in-chief, under the title, "The Wars and the Militia;" the Naval History, written by H. Perry Smith, Esq., under the title, "The Sea Force in War-time."

Volume II. contains the Medical History, written under the title, "Epidemics and Medical Institutions," by Charles V. Chapin, M. D.; the Religious History, written under the title, "Religious Societies, Their History and Present Condition," by Rev. Daniel



Goodwin; the History of Education, written under the title, "Growth of Public Education," by H. Perry Smith, Esq.; the Commercial History, written under the title, "The Development of the Sea Trade," to which is added a division relating to travel and transportation, by Robert Grieve, Esq.; the History of the Newspapers and such publications, written under the title, "The Printer and the Press," by H. Perry Smith, Esq.; and the History of the Public and Semi-public Libraries, written under the title, "The Growth of the Library;" that portion of the chapter relating to the Providence Libraries being written by William E. Foster, Esq., while that portion relating to the other libraries in the state is written by H. Perry Smith, Esq.

Volume III. contains the Municipal History of the State, written under the title, "Political Development of the Towns," by George Grafton Wilson, Ph. D.; the Judicial History, written under the title, "The Struggle for Judicial Supremacy," by Edward Clinton Stiness, A. B. LL. B.; the Financial History, written under the title, "Public and Private Finance," by Howard Kemble Stokes, Ph. D.; the History of Manufactures, written under the title, "Industrial Development," by Josiah Browne Bowditch, Esq.; the History of Public Charities and Corrections, written under the title, "The Poor, the Defective and the Criminal," by Rev. James Hill Nutting, A. M.; the History of Masonic and Odd Fellows Societies, written under the title, "Free-masonry and Odd Fellowship," by H. Perry Smith, Esq., and a chapter on "Early Habits and Customs and Old Landmarks," written by the editor-in-chief.

In a work of this character where so many hands have contributed to its growth, delays were numerous and many obstacles have been met that have put off its publication long beyond the time originally expected, but it is believed that such delays and obstacles have contributed to make the work better throughout.

The illustrative features have been carried out on the plan of

introducing as far as possible such pictures as have not previously been used in similar published works.

During the progress of the work some changes were made necessary in the personnel of the editorial staff; Hon. Edwin D. McGuinness died on the 21st day of April, 1901, and Hon. Willard B. Tanner, on account of his absence from the country, was obliged to relinquish the work which he expected to do.

In the editorial work I have been assisted by many persons; to them I desire at this time to express my sincere thanks for their many kindnesses, in addition to my private expressions at the time. I wish, however, to particularly thank Hon. Horatio Rogers, Justice of the Supreme Court of Rhode Island, for many kindly hints and words of advice, and also Mr. Fred A. Arnold, Col. Philip S. Chase, Mr. George H. Burnham and Mr. Howard W. Preston. To the authors and special editors I am indebted for their hearty co-operation and assistance.

From the very inception of the work I have been closely associated with Mr. H. Perry Smith, representing the Mason Publishing and Printing Company, the publishers and promoters of this history, and I take this opportunity to testify to his unflagging zeal and deep interest in the work which has come particularly under his care.

EDWARD FIELD.

Providence, R. I., February 24, 1902.



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**History of the State of  
Rhode Island and  
Providence Plantations.**



## CHAPTER I.

### EARLY VOYAGES AND THE INDIANS.

If we are willing to rely upon documents, chiefly based on tradition, we can assert that the first white people to set foot on the shores of lower New England were the hardy Norsemen of the tenth century. In the year 875 A. D. a body of Norwegians, under Ingolf, started a settlement in Iceland, and within half a century a promising colony of nearly 70,000 inhabitants was established almost under the Arctic circle. By the end of the tenth century many had emigrated to Greenland, where they founded a new settlement and introduced Christianity. In the year 986, according to the sagas,<sup>1</sup> one Bjarni Herjulfson, in sailing from Iceland to Greenland, was driven far out of his course by stress of weather, and on his return to his native land, reported that he had come upon a strange country, away to the southwest. Fourteen years later Leif, son of Eric, sailed from Greenland in quest of the land seen by Bjarni. He found a barren shore stretching back to ice-covered mountains, and on account of the slaty rock there called the region Helluland. Proceeding farther south, they came to a level territory, with a sandy shore lying near the water, and inland a forest country, because of which it was named Markland. Again sailing southerly, in two days they came to an island which lay to the eastward of the mainland. Proceeding beyond this farther south and westerly, they finally ascended a river and brought the ship to anchor in a large lake, on the shores of which they built huts to lodge in for the winter. Leif sent out many exploring parties, and

<sup>1</sup>The text of these sagas are given in full in Danish, Icelandic, and Latin in Rafn, *Antiquitates Americanae*. The most important of them are given in English in E. B. Slafter, *Voyages of the Northmen*; B. F. De Costa, *Pre-Columbian Discovery*; and in E. Horsford, *Discovery of America by the Norsemen*. There are bibliographies of the subject of Norse exploration in the *Library Journal*, vi, 259; R. B. Anderson, *America not discovered by Columbus*; 1883 ed.; F. W. Horn, *Hist. of the lit. of the Scandinavian North*, p. 413; and in E. B. Slafter, *Voyages of the Northmen*, p. 127. There is an excellent critical summary of the subject in Winsor, *Narrative and Critical History*, i, 87.

on one of these an abundance of grapes was found, which induced him to call the country Vinland.

During the present century numerous attempts have been made to identify the Vinland thus mentioned in Leif's voyage and in a few subsequent expeditions, with various spots on our eastern coast. Judging by the inexact accounts of the directions in sailing, by the very general descriptions of the country, and by the length of the shortest day in Vinland, writers have placed this almost mythological locality all the way from Labrador to North Carolina. The first advocate to identify the region surrounding Narragansett and Mount Hope Bays as the site of the ancient Vinland was Carl Christian Rafn, an eminent Danish scholar, who, in 1837, published his *Antiquitates Americanae*, containing a mass of original Norse documents, with comments and conclusions respecting them. He averred that the river opening into a lake was the Pocasset River flowing from Mount Hope Bay; reconciled the descriptions of climate and of native inhabitants to what he knew of the climate and aborigines of southern New England, found Norse linguistic elements entering into the composition of many Indian names, and by a delightfully convenient interpretation of language, represented that the shortest winter day of Vinland meant 41 degrees 30 minutes—the latitude of Newport. He also attempted to show that the stone tower now standing at Newport was the work of Northmen, and inserts a description of certain rocks situated in Tiverton and Portsmouth Grove. The above conclusions, with many others not relating to Rhode Island, soon became the theme of fruitless discussion throughout the country. Many writers, some of high historical ability, came to widely differing judgments respecting this shadowy locality,<sup>1</sup> until finally the best scholars realized that the descriptions of the sagas were too general and too contradictory to be relied upon. The attempt to adduce monumental evidence in the form of archaeological remains and runic inscriptions have invariably brought ridicule upon these pretended discoveries. When a man brings forward that which is impossible to support a thing that is improbable, he is liable to somewhat weaken his claim. Scarcely had Professor Rafn's article attributing a Norse origin to the old mill appeared, when his views were speedily controverted, and the structure was clearly shown to have been what Newport people had always supposed—a wind-mill

<sup>1</sup>Among those who favored Rafn's identification of Rhode Island as Vinland were Haven, *Archaeology of the U. S.*, 1856; Gravier, *Decouverte de l'Amerique*, 1874; Goodrich, *Christopher Columbus*, 1874; Anderson, *America not discovered by Columbus*, 1874; and Farnum, *Visits of the Northmen to R. I.*, 1877.

built by Governor Arnold about 1676.<sup>1</sup> In like manner the Tiverton and Portsmouth rocks, so carefully described in Rafn's volume, proved to be covered with Indian rather than Norse inscriptions, perhaps made by the same tribe that cut those on Dighton rock.<sup>2</sup> There is not the slightest archaeological evidence existing in Rhode Island or in New England to prove that the Northmen ever visited our coast. Bancroft's statement, made in 1834, that "the soil of the United States has not one vestige of their presence"<sup>3</sup> is just as true to-day as when first written. The most that we can safely assert is that, according to historical tradition, the Northmen visited several points in the eastern coast of America; but that we can identify the locality of any one of these visits is not proved by any documents yet adduced.

The first European to set foot on the shores of what is now Rhode Island, was probably a French navigator, named Verrazano. A Florentine by birth, in 1521 he begins to appear in Spanish history as a French corsair, under the name of Juan Florin. Gaining the notice of the French king, he was commissioned to set out on the discovery of Cathay by a westward route, and after a somewhat disastrous start, finally proceeded on his voyage with one ship, the *Dauphine*. In this vessel Verrazano sailed, January 17, 1524, from the Desiertas Rocks, near the Island of Maderia, having fifty men and provisions for eight months. After a voyage of about fifty days he came in sight of land, the latitude of which he placed as 34 degrees N. On approaching the land, which appeared to be inhabited, he sailed south fifty leagues in search of a harbor; but finding none, turned and coasted along the shore to the north. For several days Verrazano's narrative<sup>4</sup> carries him steadily northward, carefully

<sup>1</sup>All the facts concerning the structure are given in C. T. Brooks's *Controversy touching the old stone mill*, 1851, and are well summed up in Palfrey, *New England*, i, 57. See also G. C. Mason in *Mag. Amer. Hist.*, iii, 541. Professor Rafn never saw the tower himself, but relied upon letters written to him by Dr. Thomas H. Webb, and published with comments in a supplement to the *Antiq. Amer.* in 1841. In 1847 there was perpetrated in the Providence papers a remarkable hoax concerning the tower, the details of which are given in Mr. Brooks's pamphlet.

<sup>2</sup>When Dr. S. A. Green visited the region in 1868, some of these rocks had disappeared. See *Proc. Amer. Antiq. Soc.* for Oct. 1868, p. 13.

<sup>3</sup>Bancroft, *United States*, iii, 313.

<sup>4</sup>His narrative is contained in two Italian translations of a letter written by him to the king of France, July 8, 1524, on his return from the voyage. One was printed by Ramusio in 1556, English translations being given in the Hakluyt Society's editions of Hakluyt, *Voyages*, p. 55, and *Principal Navigations*, iii, 357; and in *N. Y. Hist. Soc. Coll.* i, 45. The other was first printed in the *N. Y. Hist. Soc. Coll.* 2d ser., i, 37; an English translation is in the same volume and also in Asher, *Henry Hudson*, p. 197, H. C. Murphy, *Verrazano*, and C. Robinson, *Discoveries*, p. 303.



describing the coast and relating many interesting encounters with the Indians, until he finally comes to anchor in a large bay, which, from his description, is evidently New York Harbor. After a short stay here and on Long Island, he proceeds on his course. But let him tell the story in his own words.

“Weighing anchor, we sailed fifty leagues toward the east, as the coast stretched in that direction, and always in sight of it; at length we discovered an island of a triangular form, about ten leagues from the mainland, in size about equal to the island of Rhodes, having many hills covered with trees, and well peopled, judging from the great number of fires which we saw all round its shores; we gave it the name of your Majesty’s illustrious mother.

“We did not land there, as the weather was unfavorable, but proceeded to another place, fifteen leagues distant from the island, where we found a very excellent harbour. Before entering it, we saw about twenty small boats full of people, who came about our ship, uttering cries of astonishment, but they would not approach nearer than fifty paces; stopping, they looked at the structure of our ship, our persons and dress, afterwards they all raised a loud shout together, signifying that they were pleased. . . . Among them were two kings, more beautiful in form and stature than can possibly be described; one was about forty years old, the other about twenty-four. . . . This is the finest looking tribe, and the handsomest in their costumes, that we have found in our voyage. They exceed us in size, and they are of a very fair complexion [?]; some of them incline more to a white [bronze?], and others to a tawny colour; their faces are sharp, their hair long and black, upon the adorning of which they bestow great pains; their eyes are black and sharp, their expression mild and pleasant, greatly resembling the antique. . . . We formed a great friendship with them, and one day we entered into the port with our ship, having before rode at a distance of a league from the shore, as the weather was adverse. They came off to the ship with a number of little boats, with their faces painted in divers colours, showing us real signs of joy, bringing us of their provisions, and signifying to us where we could best ride in safety with our ship, and keeping with us until we had cast anchor. We remained among them fifteen days.

“We often went five or six leagues into the interior, and found the country as pleasant as is possible to conceive, adapted to cultivation of every kind, whether of corn, wine or oil; there are open plains twenty-five or thirty leagues in extent, entirely free from trees or other hindrances, and of so great fertility, that whatever is sown there will yield an excellent crop. On entering the woods, we observed that they might all be traversed by an army ever so numerous; the trees of which they were composed were oaks, cypresses, and others unknown in Europe. We found also apples, plums, filberts, and many other

fruits, but all of a different kind from ours. The animals, which are in great numbers, as stags, deer, lynxes, and many other species, are taken by snares and by bows, the latter being their chief implement; their arrows are wrought with great beauty, and for the heads of them they use emery, jasper, hard marble and other sharp stones, in the place of iron. They also use the same kind of sharp stones in cutting down trees, and with them they construct their boats of single logs, hollowed out with admirable skill, and sufficiently commodious to contain ten or twelve persons; their oars are short, and broad at the end, and are managed in rowing by force of the arms alone, with perfect security, and as nimbly as they choose. We saw their dwellings, which are of a circular form, of about ten or twelve paces in circumference, made of logs split in halves, without any regularity of architecture, and covered with roofs of straw, nicely put on, which protect them from wind and rain. There is no doubt that they would build stately edifices if they had workmen as skilful as ours, for the whole sea coast abounds in shining stones, crystals and alabaster, and for the same reason it has ports and retreats for animals. They change their habitations from place to place as circumstances of situation and season may require; this is easily done, as they have only to take with them their mats, and they have other houses prepared at once. The father and the whole family dwell together in one house in great numbers; in some we saw twenty-five or thirty persons. Their food is pulse, as with the other tribes, which is here better than elsewhere, and more carefully cultivated; in the time of sowing they are governed by the moon, the sprouting of grain, and many other ancient usages. They live by hunting and fishing, and they are long-lived. If they fall sick, they cure themselves without medicine, by the heat of the fire, and their death at last comes from extreme old age. We judge them to be very affectionate and charitable towards their relatives, making loud lamentations in their adversity, and in their misery calling to mind all their good fortune. At their departure out of life, their relations mutually join in weeping, mingled with singing, for a long while. This is all we could learn of them.

“This region is situated in the parallel of Rome, being 41 degrees 40 minutes of north latitude, but much colder from accidental circumstances and not by nature, as I shall hereafter explain to your Majesty, and confine myself at present to the description of its local situation. It looks toward the south, on which side the harbour is half a league broad; afterwards, upon entering it, the extent between the coast and north is twelve leagues, and then enlarging itself it becomes a very large bay, twenty leagues in circumference, in which are five small islands, of great fertility and beauty, covered with large and lofty trees. Among these islands any fleet, however large, might ride safely, without fear of tempest or other dangers. Turning towards the south, at the entrance of the harbour, on both sides, there are very

pleasant hills, and many streams of clear water, which flow down to the sea. In the midst of the entrance, there is a rock of freestone, formed by nature, and suitable for the construction of any kind of machine or bulwark for the defense of the harbour.'"<sup>1</sup>

The above description, as we can clearly see, applies to Newport Harbor and Narragansett Bay. The triangular island which he first saw and named Luisa in honor of the mother of Francis I, was Block Island, which appears under this name in the maps of many subsequent voyagers. Its interior is hilly, and at that time was covered with thick woods, which have long ago disappeared on account of the necessity for fuel. The bay itself is fairly well described by one who saw it for the first time and who penned his whole narration from memory. The latitude as given is practically correct, which, coupled with the fact that the bay looked toward the south, insures the identification of the position. The rock at the entrance of the harbor is evidently meant for Goat Island, long since put to the use which Verrazano had so prophetically suggested. His description of the manners and habits of the Indians is consistent throughout, and tallies to a remarkable degree, as we shall later perceive, with the writings of colonial observers. Their "tawny" complexion, the taking of wild animals in snares, the hollowing of logs for canoes, their circular dwellings, their migratory habits according to season, and the method of curing disease by the fire's heat—all are peculiarities of the Narragansetts which we find mentioned in like manner by Roger Williams over a century later. Finally, we should remember what some detractors of Verrazano<sup>2</sup> have failed to recognize—that the account was written at Dieppe on his return from the voyage.

Although we have no record that any other early voyager touched at Rhode Island as did Verrazano, yet Narragansett Bay, with its wide mouth and beautiful harbor, appears on many of the first maps of the New England coast. In nearly all of them, from 1527 to the close of the century, it is called the "Bay of St. Juan Baptist", although

<sup>1</sup>N. Y. Hist. Soc. Coll. 2d ser., 1, 46-49.

<sup>2</sup>The narrative was generally credited until about twenty-five years ago, when Buckingham Smith and H. C. Murphy, in their desire to refute everything that detracted from the claims of Spanish voyagers, attacked its authenticity. Its genuineness was quickly asserted by several prominent scholars, the researches of B. F. De Costa and his bringing to light the Verrazano map doing much to re-establish general credence in the voyage. Subsequent writers, with scarcely an exception of note, have not questioned the narrative. The Verrazano map, hitherto unknown in complete form, was first published in *Mag. Amer. Hist.* ix, 449. It is also in De Costa's *Verrazano*, together with a bibliography and comments on the letter and voyage.

Verranzo and one other cartologist term it the "Bay of Refuge".<sup>1</sup> The Narragansett region was known by these names until the advent of the Dutch into the field of American exploration. In 1614, five years after Hudson had discovered the river that bears his name, Adriaen Block built a little vessel of sixteen tons and proceeded to explore the coast to the eastward as far as Cape Cod.<sup>2</sup> Passing through Long Island Sound and leaving Montauk Point, he next visited the little three cornered island which Verrazano had seen and named. This he called "Block Eylandt", which, although the legal name is New Shoreham, survives in common use to this day. Following the path of Verrazano, the Dutch captain entered Narragansett Bay, which from its noble proportions he called "Nassau Bay". The western entrance was named "Sloop Bay", and the eastern "Anchor Bay". The inhabitants Block described as being "strong of limb and of moderate size, but somewhat shy, since they are not accustomed to trade with strangers". In the lower part of the bay dwelt the Wape-nocks, while on the west side were the Nahicans, with their chiefs, Nathattow and Cachaquant. The Dutch captain went carefully into an account of distances and soundings. Nassau Bay was full nine miles in width and extended east-northeast about twenty-four miles. "Towards the northwest side there is a sandy point with a small island, bearing east and west, and bending so as to form a handsome bay with a sandy bottom. On the right of the sandy point there is more than two fathoms of water, and farther on three and three and a half fathoms, with a sharp bottom, where lies a small island of reddish appearance."<sup>3</sup> . . . From the westerly passage into this bay of Nassau to the most southerly entrance of Anchor Bay, the distance is twenty-one miles."

The Dutch names in Rhode Island influenced all the map-makers, and are found on the charts until the end of the century, when they were supplanted by those of English origin.<sup>4</sup> The names originally

<sup>1</sup>See B. F. De Costa's article on "Cabo de Arenas" in *N. E. Hist. and Geneal. Reg.* xxxix, 147.

<sup>2</sup>Block's voyage is described in De Laet, *Nieuwe Wereldt*, English translations being found in *N. Y. Hist. Soc. Coll.* 2d ser., i, 293. A map prepared probably from Block's data and known as the "Figurative Map" was made in 1614, fac-similes being given in *Doc. rel. to Col. Hist. of N. Y.* i, 13, and in O'Callaghan's *Hist. of New Netherland*.

<sup>3</sup>This little island ("een rodtlich Eylandken") was probably Hope Island, the only island lying near the extremity of a sandy point jutting from the western side. At any rate, the description applied originally to a small island situated in the western part of the bay, and not to Aquedneck, as has been generally supposed.

<sup>4</sup>This subject of the early cartology of Narragansett Bay has never been mentioned by any historian of the State, either in connected works or in

applied to localities by the Indians were seldom recognized by the early settlers, who preferred the more easily pronounceable ones of their own tongue.

Unlike the colonists at Massachusetts Bay, the early settlers of Rhode Island planted themselves in a region which was not depopulated of its former inhabitants by pestilence and war, but which contained a tribe that were accounted "the most potent princes and people of all the country". The Narragansetts<sup>1</sup> belonged to the family of Algonquins, a great race whose territory extended all the way from the Gulf of St. Lawrence to the Savannah. A difference in dialect forms the basis of dividing the New England tribes into those of Maine and those of southern New England. Around the Narragansetts dwelt the Massachusetts on the northeast, the Wampanoags in the Plymouth and Mount Hope region, and the Pequots and Mohegans in Connecticut. The language of all these neighboring tribes differed but little, and there was considerable affinity in speech throughout the whole Algonquin group.<sup>2</sup> It is useless to attempt here any mention of the various guesses as to the origin of these tribes—whether they descended from the Jews or the Greeks or the Norse. Little more is known to-day than when Roger Williams wrote, "From Adam and Noah that they spring is granted on all hands." A subject more profitable to us and decidedly more vital to our ancestors was the question as to their numbers. The fortunes of war and other circumstances had rendered the Narragansetts the most numerous and powerful of the New England tribes. General Gookin, writing in 1674, said that "the Narragansetts were reckoned, in former times, able to arm for war more than five thousand men", and a safe estimate

monographs, and is yet to be adequately treated. Much information regarding the Dutch nomenclature can be found in Asher's *Bibliographical Essay on New Netherland*. The many early navigators, like the Zenos, Gomez, Rut, and Champlain, who may have coasted along the New England shores, but are not known to have visited Narragansett Bay, are not referred to in this chapter. A connected account of the early cartography of Massachusetts Bay by Justin Winsor, is in *Memorial Hist. of Boston*, 1, 37.

<sup>1</sup>Our chief knowledge of the Narragansetts and their mode of life is derived from Williams's *Key to the Indian Language*, 1643; reprinted as v. 1 of the R. I. Hist. Soc. Coll. and again as v. 1. of the *Narragansett Club* edition of Williams's writings. In addition to the books mentioned in the bibliography at the end of this work, the following references are of value: Arnold, *Hist. of R. I.*, 1, 72; Palfrey, *Hist. of N. E.*, 1, 19; Bull's *Memoir of R. I.*, in *R. I. Hist. Mag.*, v. 6; and Pilling's *Bibliography of the Algonquin languages*, p. 371.

<sup>2</sup>Our chief authorities for the dialects in New England are Roger Williams's *Indian Key*, John Elliot's *Indian Grammar*, and Josiah Cotton's *Indian Vocabulary*.

would place the number at fully two thousand at the beginning of the English settlement here. All the lesser tribes in Rhode Island were subsidiary to or formed a portion of the Narragansetts—the Aqued-necks<sup>1</sup> on the island of that name, the Nyantics<sup>2</sup> in the eastern half of the present Washington county, the Cowesetts of Greenwich and Shawmuts of Warwick, and the wandering Nipmucs in the northwestern part of the State. The Massachusetts and Wampanoags<sup>3</sup> paid them tribute, as did also the Montauk Indians of Long Island. Such was this great tribe at the time of the arrival of the English. By the aid of the newcomers, the tributary tribes, with the Wampanoags in the van, started to throw off the yoke, and the gradual decay of this once proud nation began.

The Narragansett tribe, like all other New England aborigines, stood low in the scale of civilization. Their mode of living was of the rudest kind. Their houses, or wigwams, were round cone-shaped structures, formed of poles set in a circle and drawn nearly together at the top, leaving a hole to serve for both window and chimney. They were covered without and lined within with mats and skins, and were furnished with little besides the rudest utensils of earthenware. Everything was put together with the idea of being easily taken down, as they removed their habitation at nearly every change of season, the whole process of removal and rebuilding frequently taking but a few hours. Their dress was as simple as that of an African savage, merely a girdle around the loins, and occasionally a mantle of skin for winter use.

For food the Indians had fish and game, nuts, roots and wild berries. They raised a few uncultivated vegetables, such as squashes, beans and corn, the last of which, when pulverized and boiled, formed their staple article of food. Nearly all the natives took tobacco, sometimes as a medicine and again as a luxury. The chief occupation of the men was hunting and fishing, in which they were very proficient. Fish were taken on lines with hooks of sharpened bone, or else in nets. Although the natives were very accurate in their use of the bow and arrow, they took many of the wild animals in cleverly laid traps, and

<sup>1</sup>Aquedneck formerly belonged to the Wampanoags, and passed under the Narragansetts probably at the time of the subjection of Massasoit. Tradition still points out the place where the contest for supremacy occurred, and also the residence of the Aquedneck sachem, Wonnumetonomy. See Bull's *Memoir in R. I. Hist. Mag.* vi, 252.

<sup>2</sup>For historical notes on this tribe, see Parsons's "Indian Relics" in *Hist. Mag.* vii, 41.

<sup>3</sup>See W. J. Miller, *Notes concerning the Wampanoag tribe of Indians.*



even captured fowl by stealing them from their nests on the rocks during the night. Having no salt, they preserved their meat by a process of tanning, which doubtless did much to bring forth from Roger Williams the appellation of "filthy, smoakie holes" to their wigwams.

Their inventive skill and knowledge of the arts was of the lowest



**INDIAN WAMPUM AND STONE IMPLEMENTS FOUND IN RHODE ISLAND.**

From the collection of the Rhode Island Historical Society.

grade, all of their tools being of stone until after the arrival of the English. Axes, chisels, gouges, arrow and spear heads, were brought to a sharp edge by constant friction upon hard stone. They also fashioned pestles, mortars, and ornamental pipes. They showed the most constructive skill, outside of the weaving of cordage, baskets and

mats, in the hollowing of logs into canoes. This was done by an alternate system of charring and gouging, and it is said that a single Indian could finish a long boat of this kind in three weeks time from the felling of the tree. To the English the most useful Indian art was the manufacture of wampum-peage, or Indian money, of which the Narragansetts were the principal coiners. It consisted of cylindrical pieces of black and white shell, drilled through the center to be strung upon threads like beads. For a long period after the first settlement this was the currency of the colonists themselves, the white being accepted at six pieces to the penny, and the black at three pieces. By the Indians wampum was also used as an ornament, serving as necklaces, bracelets and girdles.

The natives were described by Roger Williams as of two sorts—the most of them sober and grave, yet cheerful, a few rude and clownish. He accords to them the greatest affection in their households, even to unwise indulgence. Although no fixed custom forbade polygamy, the Indian generally had but one wife. While she remained in his cabin, she was his drudge and his slave, doing all the household work and planting, tending and harvesting the corn. Every English traveller noted especially the rude hospitality of the savages. They invited strangers freely, gave up their own comforts for the sake of their guests, and never forgot a service rendered. The proportion of deaths at infancy was larger than among the English, owing to their ignorance of medicine. Their chief treatment for disease was a sweat bath, followed by a plunge into cold water. If death ensued from sickness, the neighbors indulged in loud lamentations, and often smeared their faces thick with soot. The burial service was equally accompanied by free indulgence in grief. The corpse, wrapped in mats and accompanied by personal effects, was placed in the grave, and often some article of clothing was hung upon a nearby tree, there to decay from the influence of time and weather. If any man bore the name of the dead, he immediately changed his name; and so far was this idea carried, that if one tribe named a warrior after the departed sachem of another tribe, it was held as a just cause of war.

The religion of the Narragansetts was one of the earlier forms of nature worship. They imagined that every natural object, phenomenon of nature, and locality, contained a god. Roger Williams counted thirty-seven of these deities, all of whom in their acts of worship they invoked. All unnatural circumstances in their life—sickness, drought, war, famine—they ascribed to the anger of certain gods. Gathered together in great assemblies they strove, with loud bewailing



and outcry to make atonement, and implored health, peace and prosperity. Their doctrine of immortality was similar to that of other barbarian nations. They believed that the souls of the good went to the southwest, the abode of their great god, Cantantouwit, whereas the souls of murderers, thieves and liars wandered restlessly abroad.

Not belonging to an advanced scale of civilization, the Narragansetts did not require intricate political institutions. There is no evidence to show that they ever possessed any code of laws or any set of customs having the force of legal obligation. Their government was monarchical, the supreme leadership being vested in the sachem. Under him were several lower sachems, who paid him tribute and voiced the action of their particular followings. We do not know how the chief sachem was chosen; heredity was certainly a qualification for office, although unpopularity or incompetence would have outweighed this. Not being vested with the accompaniments of power, the sachem was dependent for the carrying out of his will upon the acquiescence of the people, and accordingly seldom took action upon important matters until he had heard the opinion of the people expressed through the great council. There was that same confusion of judicial and executive powers common to barbarian nations, which enacted that the sachem should punish most crimes with his own hand. Assassination, however, was sometimes tried, where a public execution might provoke a mutiny.

The social side of life appealed very little to the savage's unemotional and irresponsive mind. Gambling with dice and occasional games of football were about the only sports to which he was addicted. He had none of the comforts or luxuries of life, and even after he had acquired knowledge of them, he rejected everything that involved a change in his manner of living. Continually dwelling in the midst of evils which he had no desire to alleviate, the Indian cultivated a sullen fortitude under suffering which is often called stoicism. This brave endurance of torture, however stolid and scenic it may be, is one of the brighter parts of his character. His vices far outnumbered his virtues. Whether through association with the English, who schemed to displace them and get possession of their land, or through natural degradation, the Narragansetts inspired in the breast of their friend Roger Williams great distrust as he began to know them better. Begging, gluttony and drunkenness were undoubtedly acquired through contact with the settlers, but craftiness and falsehood seem always to have been present in their character. In the latter part of his life, after he had received personal experience of their duplicity,

he says, "All Indians are extremely treacherous". While recognizing the better qualities of the more worthy, he describes the lower Indians as wallowing in idleness, stealing, lying, treachery and blasphemy. The methods employed so often by the English to incite them to tribal warfare and to get possession of their lands cannot be too severely condemned; yet that so degraded a nation should live side by side with a people favored with all the comforts and advantages of a modern civilization is as undesirable as it is impossible. The fittest must survive.

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## CHAPTER II.

### THE PURITANS AND ROGER WILLIAMS.

When Roger Williams arrived at Massachusetts Bay in the ship *Lyon* in 1631, he found New England in the beginnings of settlement. The whole territory, now so populous, was then little more than a primeval wilderness, whose silence was broken only by the voice of the savage, and the cry of the wild beast. Eleven years before, a little band of non-conformists, exiled from England into Holland, had resolved to emigrate to America, and, securing a grant from the Virginia Company, had embarked from Plymouth, England, on one vessel, the *Mayflower*. In December, 1620, they arrived off Cape Cod and began a settlement at Plymouth. Basing their form of government on a political compact formed in the cabin of the *Mayflower*, and entering into a communal system of sharing work and supplies, they began their infant settlement. During the first few years the little colony barely survived the hardships of famine and the attacks of the Indians, but by the time of Roger Williams's arrival had increased its number to over three hundred people.

To the north of the Plymouth Colony was the Massachusetts Bay Colony. This was the outcome of a small fishing settlement begun by John White, a rector from Dorchester, at Cape Ann, and removed to Salem in 1626. Two years later it was augmented by a party of emigrants under John Endicott, who had obtained a patent from the Council of New England granting them all land between lines three miles to the north of the Merrimac and three miles to the south of the Charles. These men formed the nucleus of a colony to which, in 1629,

Charles I granted a royal charter, styling the proprietors "the Governor and Company of the Massachusetts Bay in New England". In 1630 the government of the company was moved to America, and over a thousand new emigrants, under Winthrop, Dudley, Higginson and Skelton, came over and founded Charlestown, Cambridge, Roxbury, Watertown and Boston. Beyond a few fishing villages scattered along the coast to the northward, there were no other settlements in New England at the time of Roger Williams's arrival.

In order to understand the motives that brought about the trouble with Roger Williams, it is necessary to have a clear idea of the religious policy of the Puritan commonwealth—of the procession of events that brought about this great theocracy. It should be observed that the Pilgrims who had left England for Holland and had emigrated thence to found the Plymouth Colony were Separatists, or those who objected to the "idolatrous rites" of the established church and ended in founding congregations of their own. One of their principles was that the state had no right to punish for ecclesiastical censures, as they were spiritual, and also had no authority to inflict temporal punishment for such censures. For this reason the "Old Colony", as it was called, throughout its whole history treated theological disturbers with comparative mildness, and often, indeed, served as an asylum for those whom the Bay Colony had found it expedient to do without. The colonists who settled the towns around Massachusetts Bay, however, had never separated themselves from the established church, but were merely unwilling to conform to the ceremonies of the church. They were called non-conformists, although some of them conformed to the particular ceremonies under protest rather than endure the appointed penalties. Their first concern, upon coming to the new country, was the formation of their churches. In 1629 one was organized at Salem, in which Skelton and Higginson were the ministers—the former as pastor, the latter as teacher. Immediately after its organization it was formally and fraternally recognized by the church of the Plymouth colonists, who, now that they had come so far from the scene of their former controversy, did not find themselves so much at variance with their Puritan brethren. In 1630 another church was formed at Charlestown by Governor Winthrop and others, of which John Wilson was elected teacher. But these churches did not restrict themselves to the control of ecclesiastical matters. As early as 1631 it was enacted that none should be admitted to the exercise of political privileges except members of churches. This measure, adopted with the idea that the enfranchised should consist only of Christian men,

formed what was practically a theocracy, being the Calvinistic idea of a commonwealth designed to protect and uphold the framework of the church. This made each local church the center of political authority and threw all the power into the hands of the clergy. A man could not become a freeman unless he was a church member, and he could not attain to that standing unless he was approved by the minister in charge. By this means the clergy administered the temporal power, using the state as an instrument to carry out their will. They soon showed that they would, if the occasion required, avail themselves of the civil executive power to severely punish those who had committed no crime against the civil authority, but merely differed concerning ecclesiastical affairs.

Into such an oppressive and austere theocracy came Roger Williams in February, 1631, at a time when the Puritan clergy were just beginning to put to test their chosen principles. This man, destined to become the founder of a state and the first exponent of a now world-wide principle, was a restless and bold young Englishman, then about twenty-seven years of age.<sup>1</sup> Immediately after his arrival he was invited to become teacher of the church at Boston, in place of John Wilson, who was about to return to England. This invitation gave Williams, extreme Separatist that he was, an opportunity to promulgate his chosen doctrines. He refused the office, as he "durst not

<sup>1</sup>The researches of the last few years have brought to light so much new material that now it is impossible to say with the historian of twenty years ago, "Little is known of the early life of Roger Williams". The researches of Mr. Henry F. Waters, published in *N. E. Hist. and Gen. Register*, xliii, 295, have disclosed the fact that he was the son of James Williams, a merchant tailor of London, and Alice (Pemberton) Williams. The date of his birth has been placed by Waters in about 1601, by Hodges (*N. E. Register*, liii, 60) in 1604, and by Straus in 1607. In a recently printed letter, however, dated Feb. 7, 1678, Williams refers to himself as "aged about 75 years," which would seem to fix the date as 1603 (see *R. I. H. S. Publ.* viii, 156). In 1620 we find Roger Williams taking notes in shorthand of the speeches made in the Star Chamber, where he attracted the attention of his future patron, Sir Edward Coke. By him he was placed in the Charter House School in 1621. He left there to enter Pembroke College, Cambridge, from which he took his degree in 1626. We next find him, in 1629, as a chaplain to Sir William Masham of Otes, County of Essex, declaring his love for the niece of Lady Barrington and recording the fact that from conscientious scruples he has declined ecclesiastical preferment. "Pursued out of the land" by his opponents in the established church, he embarked from Bristol with his wife, Mary, in the ship *Lyon*, December 1, 1630, and arrived in Massachusetts Bay, February 5, 1631. The name of his wife, generally supposed to have been Warnard, has been found within the last year, from the original letter of William Harris, to have been Barnard. (See *R. I. H. S. Publ.* viii, 67.) His arrival was recorded by Winthrop as the coming of a "godly minister". For a list of articles on Roger Williams, see the bibliography at the conclusion of the present work.

officiate to an unseparated people'', and denounced the congregation at Boston for not making public declaration of their repentance for having had communion with the churches of England, and for allowing their magistrates to inflict penalties for the neglect of religious duties.

He was then invited by the church at Salem to become an assistant to Rev. Mr. Skelton, succeeding Higginson in the position of teacher. Scarcely had he accepted and begun his ministry in that town when the General Court at Boston interfered, and, relating the obnoxious opinions he had broached in Boston, remonstrated that the Salem people should choose him without first conferring with the Council. Although, in theory, the church at Salem was an absolutely independent community, the authorities at Boston did not scruple to attempt jurisdiction over it whenever they thought that the safety of the state was in question. The Puritans had shrewdly kept clear of any discussion as to the Anglican Church, and public repentance for having had communion with it would occasion great offense among powerful quarters in the mother country. The assertion of Roger Williams, in which he denied the right of the magistrates to punish for breach of the Sabbath or any other violation of the "first table"—the first four of the Ten Commandments—affected the very foundation of the Puritan theocracy. Massachusetts historians, like Palfrey and others, have tried to excuse the Puritan remonstrance against this assertion by stating that three out of these four Commandments are penal crimes to-day. But they have overlooked the fact that Roger Williams's doctrine referred only to the attitude of a man's own conscience to God, and explicitly disclaimed the idea that the magistrates could not punish for violations that "did disturb the civil peace".<sup>1</sup> This remonstrance of the Boston authorities apparently, at first, had little effect. Whether or not any later influence was brought to bear upon the church at Salem the records do not disclose; but before the close of the summer of 1631 we find Williams removed from there and installed as an assistant to Ralph Smith in the church at Plymouth. This place was entirely outside of the jurisdiction of the Boston Court, and his surroundings were surely more congenial. Governor Bradford says: "He was friendly entertained according to their poor ability, and exercised his gifts amongst them; and after some time was admitted a member of the church and his teaching approved".<sup>2</sup>

<sup>1</sup>This doctrine is explicitly stated in the first of the four charges brought against Williams in July, 1635. For the attitude of Massachusetts historians, see Palfrey, i, 407.

<sup>2</sup>*Hist. Plymouth Plant.*, p. 195.

He remained here for two years, supporting himself by manual labor and rapidly gathering, by his teaching, a band of faithful adherents to his doctrines. During the period he wisely availed himself of cultivating friendly relations with his Indian neighbors. To promote the religious welfare of the savages, he studied their language and manners, and formed a lifelong acquaintance with Massasoit, Canonius, and Miantonomi. In later times this friendship proved of great value to Rhode Island and to New England as well. His doctrines, although they fell upon more fruitful ground, excited even here the opposition of some of the Pilgrim authorities. The mild Elder Brewster feared his disputatious spirit, and Bradford, after a few months' experience, describes him as "a man godly and zealous, having many precious parts, but very unsettled in judgment".

The Salem church, in the meanwhile, had not forgotten their former pastor, and, in 1633, showed their affection and confidence by inviting him to resume his ministry with them as an assistant to Skelton. In August of that year he obtained his dismissal from the Plymouth Church, and accompanied by a few of his flock who preferred to remain faithful to him, he returned to Salem. His teaching does not seem to have inspired any notable opposition from the Boston authorities during the first few months.<sup>1</sup> While at Plymouth he had written a treatise upon the royal patent, in which he maintained that the colonists could acquire title to the land, not by royal grant, but only by purchase from the lawful owners, the Indians. In December, 1633, the General Court requested that this treatise should be subjected to their examination, and after consulting the clergy, found that it contained matter liable to bring them into displeasure at home, the more as it was "accompanied with language of studied affront to the late and to the reigning king". They found these three passages especially offensive: "That he chargeth King James to have told a solemn public lie, because in his patent he blessed God that he was the first Christian prince that had discovered this land; that he chargeth him and others with blasphemy for calling Europe Christendom, or the Christian world; that he did personally apply to our present King Charles, these three places in the Revelations." Regarding the first point, Williams was historically correct, as the land was discovered over a century previous. As concerns the second, denial of the Christianity of Europe was a common phrase among the more zealous of

<sup>1</sup>There is no reliable evidence to show that he took any prominent part in the controversies of the time regarding the wearing of veils or the meeting of ministers in "associations". (See Arnold, *Hist. of R. I.*, i, 26.)



those who opposed the Anglican church and need not have caused such sudden indignation among those who believed it if they did not put it in writing. As to the last point, Savage, a Massachusetts historian, says: "No complaint of such indiscretion would have been expressed ten years later, when the mother country far outran the colony in these perversions of Scripture".<sup>1</sup> The Court, however, ordered that Williams should be censured, and wrote Governor Endicott to urge him to retract. This treatise, whether purposely or not, was evidently misunderstood by the Massachusetts authorities, being written, not for publication, but for the "private satisfaction" of the governor at Plymouth. Williams had no intention of being disloyal, and when his religious opponents put him to the test by bringing forward something that he had written privately, he offered to give every proof of his loyalty, even to the burning of his book. The General Court accepted this offer, being satisfied, after reflection, that the views were not so dangerous as had first appeared.

In August, 1634, Skelton died, and Williams, in spite of the remonstrance of the General Court, was chosen by the Salem church to succeed him as teacher. Scarcely was he installed when he again began propagating the opinions which the Boston clergy deemed so dangerous. They first complained that he was "teaching publicly against the King's patent, and our great sin in claiming right thereby to this country, and for usual terming the churches of England Anti-Christian". This complaint was soon dropped for a more serious one. The General Court, in order to secure allegiance to the colony in case of possible opposition to the king, had designed to impose upon the people an oath of fidelity. Williams, whether because he thought that the authority of the king was thereby compromised, or because he had abstract theories regarding the taking of oaths, asserted that "a magistrate ought not to tender an oath to an unregenerated man, for that we thereby have communion with a wicked man in the worship of God, and cause him to take the name of God in vain". Williams was brought before the ministers for voicing this opinion, which admittedly caused the Court to desist from imposing the oath, and according to the statement of his adversaries, he was "clearly confuted".

As yet the magistrates had been able to make but little headway in overthrowing the opinions of Roger Williams. Whenever they took occasion to strengthen their religious oligarchy by an abuse of civil power, up rose this young Salem minister and successfully contested

<sup>1</sup>Winthrop, i, 122.

their unwarranted assumption of authority. Since the magistrates seemed unable or unwilling to assume the responsibility, the General Court took up the matter, and in July, 1635, summoned Williams to appear before them. He was accused of maintaining the following dangerous opinions: "First, that the magistrate ought not to punish the breach of the first table, otherwise than in such cases as did disturb the civil peace; secondly, that he ought not to tender an oath to an unregenerated man; thirdly, that a man ought not to pray with such, though wife, child, etc.; fourthly, that a man ought not to give thanks after the sacrament nor after meals," etc.<sup>1</sup> The first and second of these charges we have already alluded to. The third and fourth are but trivial, being added merely as subsidiary to the two most important offenses, although there is nothing in Williams's writings to show that he ever promulgated these views. If he ever did express them, they are at most merely technical differences in doctrine, due to his zeal as a Separatist to combat everything that worked toward uniformity in the church, and could never have been dangerous to the civil peace of the Colony. Williams appeared in answer to the summons of the Court and the "said opinions were adjudged by all, magistrates and ministers, to be erroneous, and very dangerous, and the calling of him to office, at that time, was adjudged a great contempt of authority. So, in fine, time was given to him and the church at Salem to consider of these things until the next General Court, and then either to give satisfaction to the Court, or else to expect sentence".

While the matter was thus pending, the town of Salem petitioned for some land in Marblehead Neck, which they considered as belonging to their town. But "because they had chosen Mr. Williams their teacher, while he stood under question of authority, and so offered contempt to the magistrates", their petition was refused. For a political body to refuse to do an act of temporal justice on account of some spiritual deficiency in the petitioners was a perversion of law and an extraordinary abuse of authority. The Salem church immediately took offense, and, according to Winthrop, "wrote to other churches to admonish the magistrates of this as a heinous sin, and likewise the deputies". The people of the other churches, however, not being inspired by the preaching of Williams, apparently decided to side with the party which had the most power. Williams, whom Winthrop describes as "being sick and not able to speak", then wrote to his church, protesting that he could not communicate with the

<sup>1</sup>Winthrop, 1, 162. This author is our sole authority for a large part of this religious controversy.



churches of the Bay, nor communicate even with them unless they refused communication with the rest. At the next General Court the deputies from Salem were refused their seats until they should give satisfaction about the letter.<sup>1</sup>

The Salem church was now in a decided predicament. If they yielded to the pressure of the magistrates, they were refused communication with their pastor. If they continued to oppose the General Court, they would be denied any voice in the government of the colony. Much grieved at the situation, they chose the lesser of the two evils and yielded, leaving their persecuted minister to retreat also, or else suffer the consequences. A single person is always more liable than a community to show devotion to a principle; or, as Williams's opponents might have put it, he was more obstinate than his following. His nature was not one that quailed before a show of force, and when the time of his trial came he was as unshaken in his convictions as ever. In October, 1635, in response to the summons of the General Court, he appeared in order to answer to the charges against him. The proceedings of the Court are best given by Winthrop, the least unprejudiced of the early annalists:

“At this general court, Mr. Williams, the teacher at Salem, was again convented, and all the ministers in the bay being desired to be present, he was charged with the said two letters—that to the churches, complaining of the magistrates for injustice, extreme oppression, etc., and the other to his own church, to persuade them to renounce communion with all the churches in the bay, as full of anti-christian pollution, etc. He justified both these letters, and maintained all his opinions; and, being offered further conference or disputation, and a month's respite, he chose to dispute presently. So Mr. Hooker was appointed to dispute with him, but could not reduce him from any of his errors. So, the next morning, the court sentenced him to depart out of our jurisdiction within six weeks, all the ministers, save one, approving the sentence; and his own church had him under question also for the same cause; and he, at his return home, refused communion with his own church, who openly disclaimed his errors, and wrote an humble submission to the magistrates, acknowledging their fault in joining with Mr. Williams in that letter to the churches against them, etc.”

The sentence of banishment was passed in these words:

<sup>1</sup>Endicott, Salem's principal deputy, subsequently justified this Salem letter, and the General Court, in addition to unseating him, imprisoned him until he should acknowledge his offense. Savage, one of the first Massachusetts historians to admit the magistrates' abuse of temporal power, says: “This denial, or perversion, of justice will not permit us to think that the judges of Williams were free from all blame in producing his schism.” Winthrop, i, 164.

“Whereas, Mr. Roger Williams, one of the elders of the church at Salem, hath broached and divulged divers new and dangerous opinions against the authority of the magistrates; as also writ letters of defamation, both of the magistrates and churches here, and that before any conviction, and yet maintained the same without any retracting; it is therefore ordered that the said Mr. Williams shall depart out of this jurisdiction within six weeks now next ensuing, which, if he neglect to perform, it shall be lawful for the Governor and two of the magistrates to send him to some place out of this jurisdiction, not to return any more without license from the Court.”<sup>1</sup>

Liberty was afterwards granted him to stay until spring, provided he did not “go about to draw others to his opinions”. His restless nature, however, did not permit him to remain quiet, and in January, 1636, we find the General Court listening to the complaints that he was promulgating his views in his own house, and that he and twenty others were intending to erect a plantation about Narragansett Bay. Since there were many who still embraced his opinions, the magistrates deemed that his proposed settlement would result in a “spread of the infection”, and accordingly resolved to send him away to England by ship. On his refusal to come to Boston in answer to a summons they dispatched Captain Underhill with a pinnace to Salem with orders to seize him and to carry him on board the ship about to sail for England. But when they came to his house they found that he had gone three days before, whither they could not learn.

It seems that Governor Winthrop, who, in spite of his many differences, manifested a lifelong friendship towards Williams, had advised him to settle in the fertile Narragansett country; and to that end, Williams, leaving behind his wife and two infant children, set out upon his perilous winter journey.<sup>2</sup> He apparently passed the winter among the Wampanoag Indians, whose friendship he had cultivated during his residence at Plymouth, and, at the opening of spring, began to plant and build on the east side of the Seekonk River, on what was recently known as Manton’s Neck.

<sup>1</sup>*Mass. Col. Rec.* i, 160. There has been much misapprehension concerning the date of banishment of Roger Williams. The accepted date of October 9, 1635, was first given, with a full discussion of the subject, in Dexter’s *As to Roger Williams*, p. 58. See also J. A. Howland in *R. I. H. S. Proc.* 1886-87, p. 52.

<sup>2</sup>Straus, in his biography, p. 74, concludes that this journey must have been made by sea, referring to Guild as his authority. But Dr. Guild, in later years, in his *Footprints of R. W.*, p. 19, retracts this opinion, agreeing with the generally recognized view that the journey was made by land. For a careful discussion of this subject see Dexter *As to R. W.*, p. 62; also *Book Notes*, xl, 148.

But he was soon destined to be disturbed. "I received a letter," he says, "from my ancient friend, Mr. Winslow, the Governor of Plymouth, professing his own and others' love and respect to me, yet lovingly advising me since I was fallen into the edge of their bounds and they were loath to displease the Bay, to remove but to the other side of the water." Williams, though suffering the loss of the crops he had planted, quietly acquiesced, and accompanied by five companions<sup>1</sup> who had in the meantime joined him, set out to seek a freer land beyond the river. Tradition narrates that they proceeded down the Seekonk River in a canoe as far as "Slate Rock", where they were welcomed by the Indians with the friendly salutation "What cheer, netop?"<sup>2</sup> Passing around the headlands now known as India and Fox Points, they traveled up the Mooshassuck River and disembarked near a spring,<sup>3</sup> on the east side of the river a little southwest of where St. John's church now stands. Here they began their settlement, to which in gratitude for deliverance from his many distresses, Williams gave the name of Providence.

It is now time to review briefly the true causes of Roger Williams's banishment and to draw conclusions as to the justifiability of the proceedings. Probably no one event in early New England history has given rise to so much contradictory discussion among historical writers as the explanation of the real motives for expelling Williams from the Massachusetts Colony. The Puritan apologists have attempted to show that he was a "subverter of the foundations of government" and that his removal was brought about for reasons purely political; while his own eulogists, chiefly of the Baptist persuasion, have asserted that his enunciation of the great principle of religious freedom was the chief

<sup>1</sup>William Harris, John Smith, Francis Wickes, Thomas Angell and Joshua Verin. See Arnold, i, 97. For William Arnold's claim as a first comer, see Prov. Rec. xv, 77. According to Theodore Foster's account, obtained of Stephen Hopkins (*Foster Papers*, vi, 19 in R. I. Hist. Soc.), Thomas Angell was the only person to accompany Williams on his famous expedition around Fox Point. (See *R. I. H. S. Coll.* vii, 83, and Stone's *Life of Howland*, p. 344.) The date of this expedition, which is also the date of the founding of Providence, has been variously estimated from April 20 to June 26, 1636. The safest estimate would put it in the latter part of May or early in June. For a full discussion of this question, which is too lengthy to be entered upon here, see *Narr. Hist. Reg.* v. 27.

<sup>2</sup>Articles on "What Cheer" and its tradition are in Rider's *Book Notes*, vii, 47, and in *R. I. H. S. Publ.* vi, 232.

<sup>3</sup>There are accounts of Roger Williams's Spring in the *Microcosm*, February 24, 1826; *Providence Journal*, March 11, 1894; and *R. I. H. S. Publ.* vii, 135. Moses Brown relates a tradition that upon landing, the first comers "were invited by the natives to partake with them of succotash and boiled bass then cooking over the fire, which they accepted". (*R. I. Mss.* viii, 5, in *R. I. H. S.*)

reason for his departure. Indeed, writers of the present decade seem able to argue the subject with as much conviction and prejudice as they did half a century ago. To arrive at any clear judgment of the case, we must depend on three classes of original authorities: the official action of the Court, the evidence afforded by contemporary writers, and the statements of Williams himself.<sup>1</sup>

The sentence of the Court gives the following reasons for his banishment: his broaching of "new and dangerous opinions against the



SLATE ROCK AND SEEKONK RIVER

From a painting by Noyes, in the possession of the Rhode Island Historical Society, representing the locality as remembered by the artist.

authority of magistrates", and his writing and defending certain "letters of defamation". These are the sole charges against him. As far as the wording goes, the crimes might be political, but as a matter of fact, they are not. The "new and dangerous opinions" were carefully defined in the official complaint of the Court three months pre-

<sup>1</sup>Every writer on the subject must acknowledge his obligations to H. M. Dexter for the marshalling of original authorities in his *As to Roger Williams*, even though few could agree with all the inferences therein expressed.

vious to the sentence. By a reference to this,<sup>1</sup> it may clearly be seen that the first two of the four charges instance his conception of the complete separation of civil and religious authority, whereas the last two refer to trivial peculiarities of private religious opinion. He was at that time threatened with banishment unless he retracted these *specific opinions*. The second charge against him in the sentence referred to his protest against the "scandalous injustice" of the magistrates in denying the Salem petition for land, merely because the Salem pastor had offended the Court. This again instanced his objection to the principle whereby temporal punishment could be administered for spiritual deficiencies. So much for the official action of the Court.

Winthrop, perhaps the most reliable of the contemporary writers, affirms that the defamatory letters and the maintenance of his opinions were the causes of Williams's banishment. Later, in referring to Wheelwright's heresies, he says that Williams was expelled "for the like, though less dangerous". Cotton, the strongest adversary of Williams in his later life, always sought to justify Massachusetts on the ground that Williams was banished because his preachings against the patent and oath of fidelity, his letters of defamation, and his renunciation of the churches in the Bay were all subvertive of the civil peace. Gorton says he was expelled for "dissenting from them in some points about their Church Government."<sup>2</sup>

The most important reference by Williams to his banishment is in his reply to Cotton, where he quotes the charges as made by Governor Haynes, and admits that they were rightly summed up. The charges were: "That we have not our land by Patent from the King, but that the natives are the true owners of it. That it is not lawful to swear, to pray, as being actions of God's worship. That it is not lawful to hear any of the ministers of the parish assemblies in England. That the civil magistrate's power extends only to the bodies and goods, and outward state of men." These, says Williams, were "the four particular grounds of my sentence."<sup>3</sup>

Although the foregoing authorities do not settle upon the same specific reasons for banishment, they certainly agree in the negative conclusion that Williams was not expelled for any one separate cause. Whether we accept the rather vague indictment that appears in his

<sup>1</sup>See ante. p. 21; also W. E. Foster in *R. I. H. S. Coll.*, vii, 96.

<sup>2</sup>Winthrop, i, 171, and his *Life*, ii, 186; Cotton, *Reply to Williams*, p. 26; Gorton, *Simplicities Defence* (in *R. I. H. S. Coll.*, ii, 43).

<sup>3</sup>Cotton's letter examined, p. 4.

final sentence, or the definite charges as made by Haynes and admitted by Williams, which were the real grounds of his banishment, we must undoubtedly come to the same conclusion. The offender had propagated certain opinions which, said the clergy, were "subvertive of the framework of government". And so they were, but subvertive of the *religious*, and not the *political*, framework. Roger Williams did not discourse upon the tax system, or the method of holding elections, or any other strictly political question; but he did protest, and vehemently, against the mingling of temporal and spiritual concerns, against the principle which made the magistrate but the mouthpiece of the clergy. Those in power quickly realized that if any considerable number of people accepted his teachings, their theocracy would be greatly weakened, and it was but natural that they should wish the thorn in their flesh removed. And so they banished him, not for his attitude upon religious toleration, nor for his championship of liberty of conscience—for these ideas were then but embryonic in his mind—but for his protest against their usurpation of temporal authority.

Can this act of banishment, although natural, be considered as justifiable? The clergy clearly showed their position in the Williams controversy, when in an official opinion given to the Court, they declared "that he who should obstinately maintain such opinions, whereby a church might run into heresy, apostasy, or tyranny, and yet the civil magistrate could not intermeddle, were to be removed."<sup>1</sup>

This declaration, which alone would explain the cause of Williams's expulsion, unmistakably evidenced their desire to censure, to persecute or to banish those who opposed the civil authority in spiritual matters. That some of them, even in that intolerant day, realized that such persecution was against all human progress, is shown by their attempt to shield their action under the pretense that it was done to suppress civil disturbance. A keen observer of the period, in referring to the banishment of Williams and others by the clergy, remarked that "they found out a pretty fine distinction to deceive themselves with, that the magistrate questioned and punished for those opinions and errors, not as heresies and such opinions, but as breaches of the civil peace and disturbances to the Commonwealth".<sup>2</sup> This fine distinction, as the author infers, was not a distinction at all, but merely an excuse. The greater number of the theocrats, however, pursued their domineering course without any other justification than the professed purpose to suppress heresy and thereby "secure a true religion to posterity".

<sup>1</sup>Winthrop, i, 163.

<sup>2</sup>Thomas Edwards, *Antapologia*, (1644) p. 165.



We have already noted the significant reply of the clergy to the Court in the Williams case, and a year or two later we find Governor Winthrop thus censuring Mrs. Hutchinson for daring to differ in doctrine: "Your course is not to be suffered. . . . We see not that any should have authority to set up any other exercises besides what authority hath already set up." By 1644 a law was passed decreeing banishment upon any one who openly condemned the baptizing of infants; and this was only the beginning of what was to follow.

But why should we attempt to apologize for those who themselves sought no other excuse than the necessity of securing a dominant religion? We condemn the inquisitorial proceedings of the thirteenth century popes, we loudly declaim against Philip II for his insufferable persecution of the Jews and Moors, we never seek to defend Louis XIV for banishing the Huguenots from France—and yet when we come to consider our own Puritan forefathers, we allow ourselves to be deceived by the sophistical argument that that which was admittedly wrong in the Old World was right and best in the New.<sup>1</sup> It is true that the proceedings against the Quakers and other late offenders deserve our condemnation more than does the banishment of Williams, which was but the warning note of the persecution to follow. But even this early course of action does not admit of justification. Unless we believe that a protest against the spiritual assumption of temporal authority should be visited with punishment, unless we consider the union of church and state to be the highest form of political organization, then we cannot defend the founders of Massachusetts in banishing Roger Williams.

<sup>1</sup>The writings of Charles Francis Adams, who has done more than any other historian to give a clear insight into early Massachusetts history, are particularly pertinent at this point. In one place he says: "The trouble with the historical writers who have taken upon themselves the defense of the founders of Massachusetts is that they have tried to sophisticate away the facts. . . . In Spain it was the dungeon, the rack and the fagot; in Massachusetts it was banishment, the whip and the gibbet. In neither case can the records be obliterated. Between them it is only a question of degree—one may in color be a dark drab, while the other is unmistakably a jetty black. The difficulty is with those who, expatiating with great force of language on the sooty aspect of the one, turn and twist the other in the light, and then solemnly asseverate its resemblance to driven snow. Unfortunately for those who advocate this view of the Old and New World records, the facts do not justify it." (*Massachusetts, its historians and its history*, p. 34.)

## CHAPTER III.

### THE FOUNDING OF PROVIDENCE.

The primary purpose of Roger Williams, when contemplating the project of settling near Narragansett Bay, was to spread Christianity among the Indians and to elevate them both morally and socially. "My soul's desire," he says, "was to do the natives good, and to that end to learn their language, and therefore desired not to be troubled with English company".<sup>1</sup> But the impracticability of this idea and the forced companionship of several who were also under the displeasure of the Bay government, made him change his purpose, and become the founder of a "shelter for persons distressed of conscience"—a community where complete religious toleration might be secured.

The planting of a settlement on the banks of the Mooshassuck was no suddenly conceived idea. Long before the settlers began the creation of their rude houses, Roger Williams, in consistency with his opinions concerning the ownership of the soil, negotiated for its purchase from the natives. Through his knowledge of their language and manners, and through his favor with them, he procured what "monies could not do," and obtained from Canonicus and Miantonomi a gift of land upon the Mooshassuck and Woonasquetucket Rivers. This agreement, perhaps a verbal one, does not appear on the records, but is mentioned in the following "memorandum", dated March 24th in the second year of the plantation, or 1638.<sup>2</sup>

<sup>1</sup>Answer to W. Harris, 1677, in Rider's *Tracts*, xiv, 53. Had Williams merely desired to live apart from his Puritan brethren, he might have followed the plan of William Blackstone, who had preceded him to Rhode Island. This striking and somewhat mysterious personage had sold his estate in Boston in 1634, and removed to a spot in the present town of Cumberland, named by him "Study Hill." He lived a solitary life with his family until his death in 1675. For particulars of his life, see Savage's *Winthrop*, i, 53; *Mem. Hist. of Boston*, i, 84; *R. I. H. S. Coll.* vii, 25; *American Magazine*, vii, 707; A. Gilman's *Pathfinders*, p. 112; S. C. Newman's *Address before Blackstone Monument Assoc.* 1855; L. M. Sargent, *Blackstone Family*; and biographical sketches of Blackstone by T. C. Amory, 1877, B. F. De Costa, 1880, and J. C. Crane, 1896.

<sup>2</sup>*Prov. Rec.* iv, 70. The original of this deed, in a mutilated condition, is



“Memorandum, that we Caunanicusse and Meianantunnomu, the two chief Sachems of Nanheggansuck, having two years since sold unto Roger Williams the lands and meadows upon the two fresh rivers called Mowshausuck and Wanasquatuckett, do now by these presents establish and confirm the bounds of those lands from the rivers and fields of Pautuckett, the great hill of Neotaconkonitt on the norwest and the towne of Mashapauge on the west. As also in consideration of the many kindnesses and services he hath continually done for us both with our friends of Massachusetts, as also at Quinitikticutt, and Apaum or Plimouth, we do freely give unto him all that land from those rivers, reaching to Pautuxett River, as also the grass and meadows upon Pautuxett River.<sup>1</sup> In witness whereof we have hereunto set our hands.”

still preserved in the City Hall. In 1659 it was for the first time recorded, with certain additions, said to have been necessary through the mutilation of the original deed. In 1662 it was again recorded, but without the said additions.

<sup>1</sup>This last sentence Sidney S. Rider, in an interesting and forceful treatise (*R. I. Hist. Tract*, ser. 2, no. 4) considers to be a forgery, “interpolated by William Harris and his partners”. George T. Paine, in an equally interesting tract (*A denial of the charges of forgery in connection with the sachem's deed to Roger Williams*), denies this claim. Mr. Rider's chief support to his assertion, is that the above sentence, while given in the record of 1659, does not appear in the record of 1662. Leaving aside all discussion as to motives for forgery, the original deed itself seems to show eradication rather than interpolation. A careful examination of the photographic reproductions in both the tracts will show that there are certain marks on the lower half of the deed which seem to be part of missing letters which do not appear in the upper half. There are several early allusions to the fact that the deed was torn (see Paine's *Denial*, p. 10, 41), but none whatever to the fact that it was interpolated. There is a manuscript, which has never yet been printed, that throws much light upon the “forgery”. It is a testimony of William Field, and the following extract will show its importance in the question: “Now, sir, I conceive this William Arnold, to obtain his own ends, to deprive us of our right of the said lands of Pawtuxet, that we might have nothing to show for it . . . cunningly cut out or otherwise got out of the said evidence all concerning the said our right of Pawtuxett and pasted the said writing together again so cunningly that it could hardly be discerned but by those who well knew by rote what was formerly in the Evidence; but so it happeneth that by God's providence, there is a copy or two of his own handwriting (which I conceive he had forgot) to be seen, which compared with the deformed evidence doth fully demonstrate his naughty and evil intent.” (*Prov. Town Papers*, no. 01293.) William Harris himself says that the deed fell into a certain person's hands, and the “part concerning Pawtuxet was taken out, and the paper on both sides thereof put edge to edge and pasted together on another paper.” He also says that the word “Pawtuxet” in the memorandum was “blotted”, and the original deed bears evidence of this fact. (*R. I. H. S. Publ.* 1, 2030.) If this forgery had ever been perpetrated Roger Williams would certainly have alluded to it in his voluminous writings on the subject. He would have been only too glad to find another crime to lay explicitly at the door of William Harris. The sentence under discussion gave to Roger Williams his only clear title to the lands bordering on the north side of Pawtuxet, which, in 1638, he deeded to his associates, using

This deed is signed by Canonicus and Miantonomi in the presence of Indian witnesses, and is followed by a second "memorandum".

"3. month, 9. day. This was all again confirmed by Miantenomu, he acknowledged this his act and hand up the stream of Pautuckett and Pautuxett without limits we might have for our use of cattle,

"Witness hereof

ROGER WILLIAMS  
BENEDICT ARNOLD."<sup>1</sup>

The absence of legal phraseology in this deed has little signification, as the knowledge of what we call modern law was very rudimentary. Williams had no idea of buying land for a political community, but intended only to procure a title which should be vested in him alone. When pressed by some of his companions to admit them into the fellowship of his purchase, he consented, agreeing that the place should be a shelter for "persons distressed for conscience". In consideration of £30 as a compensation for his own expenses, he made over equal rights in the whole purchase to twelve of his associates and "such others as the major part of us shall admit into the same fellowship of vote with us."<sup>2</sup>

almost exactly the same words as in the so-called interpolated clause. Williams, himself, in a hitherto unpublished letter, explicitly mentions the "knowne stated bounds fixt us in our grand Original deed, to wit Pawtuckquit, Notaquonckanit, Maushapog and Pawtuxet." (*R. I. H. S. Publ.* viii, 158.) Although there are many assertions concerning land troubles in Mr. Rider's tract that are incontrovertible, I believe that most historical scholars cannot accept the claim that the above sentence concerning the Pawtuxet lands was a forgery.

<sup>1</sup>This memorandum, according to William Harris, is in the handwriting of Thomas James. (*R. I. H. S. Publ.* i, 210.) The date 1639 is prefixed to it in the enrollment of 1659. Mr. Rider asserts that this is an interpolation, which is undoubtedly true, as it is not in the original deed. He asserts that the signatures of the two witnesses are also forgeries. Roger Williams, however, denied the recording of the testimony and not his signature as a witness. The evidence as to the forgery of Arnold's name may have been adduced from the following source "Mr. Benedict Arnold upon his engagement saith the name subscribed in the paper where the Evidence of Providence is was not his handwriting. But he saith that he did subscribe his name to such a paper as that is about that time." Taken in Court, March, 1659. (Harris Papers in *R. I. Hist. Soc.* p. 87.)

<sup>2</sup>*Prov. Rec.* xv, 86. The text of this deed is obtained from an officially certified, but undated, copy of 1661. It is known as the "Initial Deed", since the names of the twelve associates are indicated by their initials. In 1666 Williams re-executed this deed, assigning to it the date of Oct. 8, 1638, and giving the full names of his associates. They were Stukely Westcott, William Arnold, Thomas James, Robert Cole, John Greene, John Throckmorton, William Harris, William Carpenter, Thomas Olney, Francis Weston, Richard Waterman, and Ezekiel Holliman. (*Prov. Rec.* iii, 90.) Five years previous, in 1661, Williams had executed a similar deed having a seal, release of dower, and other formalities. (*Prov. Rec.* v, 306.) In this latter document, in

The vague boundaries of this deed to his associates, and the omission of a clear definition of the capacity of the grantees and of the qualifications of subsequent purchasers led the way to the various interpretations of the deed which were to disturb Providence town-meetings for the next half-century. Williams intended that newcomers should pay thirty shillings into a town stock, and believed that he had transferred his Indian purchase to an association or corporate succession to hold in trust until a future town was ready to receive it. William Harris and several of the proprietors thought that those who had borne the burden of settlement should reap some reward, and apparently believed in the diversion of the whole estate to the profit of a private corporation, without regard to the interest of the commonwealth.<sup>1</sup> The latter class at a very early day seem to have been anxious to possess larger individual holdings. "W. Harris and the first twelve of Providence were restless for Pawtuxet," says Williams. In 1638, the same year of the "Initial Deed", all the meadow ground at Pawtuxet was "impropriated unto thirteen persons, being now incorporate into our town of Providence", and a consideration of £20 was paid to Roger Williams.<sup>2</sup> The lack of boundaries in this deed was another great source of discussion among the proprietors. For years the town surveyors could not settle upon the line between the "grand purchase of Providence" and the "Pawtuxet purchase", and in fact the matter was not decided until 1712.

By the time Roger Williams had deeded away all the land he had purchased from the Indians, the little settlement had been somewhat augmented by new arrivals from Massachusetts. The first division of lands within the "grand purchase of Providence" gave to each one of the early settlers, fifty-four in number, a "home lot", a six acre lot and a number of acres of meadow land. The home-lots, of five acres each, extended from the "Towne Streete", now North and South Main streets, to what is now Hope street, and the six-acre lots were situated in the southerly part of "Providence Neck", and upon the Woonasquatucket River.<sup>3</sup>

referring apparently to the initial deed, he assigns to it the date 1637, which differs from his date of October 8, 1638, given five years later. Undoubtedly 1637 is an error of memory, as he did not obtain the lands from the sachems until March 24, 1638. Four of the grantees, moreover—Westcott, Weston, Waterman and Holliman—did not come to Providence until after March, 1638.

<sup>1</sup>There is a careful discussion of this "Initial Deed" in Dorr, *Prov. proprietors and freeholders*," pp. 12-20.

<sup>2</sup>*R. I. Col. Rec.* 1. 20.

<sup>3</sup>These early divisions of land are described in H. C. Dorr's *Planting and Growth of Providence*, and in C. W. Hopkins's *Home-lots of the early settlers*. See also *Book Notes*, iv, 21.

The numerical weakness and the few political requirements of the earliest settlers did not necessitate a carefully organized government. The masters of families simply met once a fortnight to consult "about our common peace, watch and planting", and chose one of their number, named the "officer", to call the meeting at the appointed time. But, before the settlement was a year old, several young men who had been admitted to freedom of inhabitation became discontented with their estate and sought freedom of voting and equality. Roger Williams realized fully the danger of not having some sort of civil compact and prepared a "double subscription", one to be signed by the masters of families, the other by the young men recently admitted.<sup>1</sup> Whether the former of these subscriptions was ever submitted to the townsmen, the meagre records do not show. The latter was formally adopted in town meeting, August 20, 1637, being known as the "civil compact". It was in these words:

"We, whose names are hereunder, desirous to inhabit in the town of Providence, do promise to subject ourselves in active or passive obedience to all such orders or agreements as shall be made for public good of our body, in an orderly way, by the major assent of the present inhabitants, masters of families, incorporated together into a town fellowship, and others whom they shall admit unto them, only in civil things."<sup>2</sup>

The masters of families and such others as they admitted unto them now exercised all functions—executive, legislative, and judicial. It was the town meeting that made such little ordinances as were necessary for safety, decided the ever besetting questions concerning land, and passed judgment upon all offenders. There was one matter, however, to which their authority did not extend. The compact provided for perfect religious liberty by limiting their authority to civil things

<sup>1</sup>We find the text of these compacts in a letter from Williams to Winthrop, written in the autumn of 1636. (See *Narr. Club Publ.* vi, 3.) It is to this letter also that we owe our knowledge concerning the earliest government at Providence.

<sup>2</sup>*Prov. Rec.* i, 1. The date, August 20, 1637, according to the transcript of 1800, was upon the original record, but the page upon which it was originally written is now gone. There should be no hesitancy in assigning this date, however, as Daniel Abbott, in a memorandum of several years later, says, "And in the year 1637, became a Towne incorporated August the 20th." (*Prov. Rec.* 4th Rep't. p. 11.) This statement of Abbott's would seem to make against the theory that the householders had adopted some express form of organization previous to the compact. The names of the thirteen signers were Richard Scott, William Reynolds, John Field, Chad Brown, John Warner, George Rickard, Edward Cope, Thomas Angell, Thomas Harris, Francis Wickes, Benedict Arnold, Joshua Winsor and William Wickenden.

only. The great principle of freedom of conscience was for the first time recognized in the New World.

The first change from pure democracy came in 1640. Disputes, chiefly concerning land, had become too frequent to be settled in town meetings where it was difficult to secure even a quorum. The settlers desired a government which would be less onerous to individuals and more energetic for the increasing needs and population of the community. Accordingly, a committee, chosen to devise some plan of relief, considered "all these differences, being desirous to bring them to unity and peace". Their report, dated July 27, 1640, is subscribed to by thirty-nine of the inhabitants as "laying themselves down subject to it". According to this agreement, the inhabitants were to choose five men, called "disposers", who were to "be betruſted with diſpoſals of land and alſo of the town's ſtock, and all general things". A town clerk was alſo to be choſen, who ſhould call the diſpoſers together every month and a general town meeting every quarter. The diſpoſers were to hold office for one quarter, and the clerk for one year. All private differences were to be ſettled by arbitration, the diſpoſers being empowered to ſelect arbitrators in caſe the diſputants reſuſed to do ſo. If a perſon ſhould be wronged and not proſecute the offender, the diſpoſers could call up the caſe themſelves. All the inhabitants were required to aſſiſt in the purſuit of a delinquent; but if any perſon raiſed a "hubbub" without juſt cauſe, he muſt make ſatiſfaction for his error. If any inhabitant thought himſelf wronged by the action of the diſpoſers, he might make appeal to the town meeting or, if neceſſary, have the clerk call a ſpecial meeting. All former grants of land were to ſtand, and ſubſequent deeds were to be given to the purchaſers by the diſpoſers. It was alſo ſpecifically provided "as formerly hath been the liberties of the town, ſo ſtill to hold forth liberty of conſcience."<sup>1</sup>

This agreement, though it ſeems to have been the only form of government for ſeveral years, was but little removed from the perfect democracy of the firſt compact. The diſpoſers had practically no delegated power when an appeal from their action to the judgment of the town could be made by a ſingle inhabitant. The method of arbitration, moreover, was not particularly effective among men whoſe latitude of opinion concerning civil government was about as broad as their ideas upon religion. As Roger Williams ſays: "Our peace was

<sup>1</sup>The original report of the committee is not in exiſtence. A copy, attested to in 1662, is in the *Prov. Rec.* xv, 2. Another copy, taken apparently in 1650, is in *Suffolk Deeds*, i, 124.

like the peace of a man who hath the tertian ague." An attempt to enforce the decision of the arbitrators sometimes ended in bloodshed and riot. On one occasion of this kind, in November, 1641, thirteen of the colonists, fearing the outcome of events, addressed a letter to the Massachusetts government. They stated how the endeavor to enforce a decision upon one Francis Weston had been frustrated by the riotous action of Samuel Gorton and his company, and ended by imploring the governor, "for the sake of humanity and mankind to lend us a neighborlike helping hand". The reply from Massachusetts was that "except they did submit themselves to some jurisdiction, either Plymouth or ours, we had no calling or warrant to interpose in their contentions".<sup>1</sup> Fortunately this impolitic action of a few inhabitants of Providence was not productive of any evil results.

It was only a few months later that the harmful precedent thus set was followed, but with much more pernicious consequences. In September, 1642, William Arnold, William Carpenter, Robert Cole and Benedict Arnold, all of whom had purchased land near Pawtuxet, subjected themselves to the jurisdiction of Massachusetts.<sup>2</sup> The reasons assigned by Governor Winthrop in accepting the subjection thus offered were "partly to secure these men from unjust violence, and partly to draw in the rest in those parts either under ourselves or Plymouth," and because "the place was likely to be of use to us, especially if we should have occasion of sending out against any Indians of Narragansett, and likewise for an outlet into the Narragansett Bay". The effect of this treachery of the Arnold party upon the weak little settlement can readily be perceived. The new subjects of Massachusetts being bound to obey the laws of that colony, did not scruple to evade any impositions put upon them by the Providence government. The legal aspects of the case do not seem to have had much weight at that day. It is indeed difficult to conceive how the Bay Colony could accept jurisdiction over land outside of the bounds of their patent, or how the Pawtuxet men could violate the

<sup>1</sup>The address is in *3 Mass. Hist. Soc. Coll.* 1, 2; and the reply in *Winthrop*, II, 59.

<sup>2</sup>There is an excellent summary of the subjection of Arnold in Paine's *Denial of the charges of forgery*, pp. 28-37. From this account it seems clear that the Arnold party hoped, by placing themselves under Massachusetts, to get their deeds from Pumham and Sacononoco confirmed. These two Indians, in 1643, submitted themselves to Massachusetts, and if it could be proved that they were independent of the Narragansetts, their deeds would hold good over lands previously granted by Miantonomi to Williams. The Arnold party apparently cared not to what jurisdiction they were subject, as long as they were confirmed in the ownership of their lands.



agreements with their Providence neighbors in submitting to a foreign control without forfeiting their lands to the town. The conflicting jurisdiction thus set up in the infant colony was greatly injurious to the community and proved to be a source of continual aggravation for several years.<sup>1</sup>

In thus tracing the land purchases and the early government of the Providence Colony, we have omitted all reference to many matters of great importance to the little settlement. Land controversies and ineffective political organization were not the only sources of trouble. Religious dissensions, scarcity of provisions,<sup>2</sup> and constant fear of an Indian uprising, all combined to threaten the very existence of the town. Perhaps the last of these causes, from its actual importance and possible magnitude, was the most productive of danger, not only to Providence but to all New England as well. In July, 1636, a band of Pequot Indians had attacked a party of traders at Block Island and murdered one John Okham, of Watertown. The Massachusetts authorities sent John Endicott with a body of ninety men to avenge this murder. After touching at Block Island, he successfully carried the expedition into the very heart of the Pequot country. This exasperated the Indians so much that they determined to form a league against the English and drive them from the country. To this end they began negotiations with the powerful Narragansetts, who, had they joined in the attack, would have brought about terrible massacres, if not the total annihilation of the whites. At this critical juncture, Roger Williams, earnestly requested by the Boston magistrates, stepped forward. The result of his labors—what Bancroft calls “the most intrepid and most successful achievement of the whole war”—can best be told in his own words:

“The Lord helped me immediately to put my life into my hand, and scarce acquainting my wife, to ship myself all alone in a poor canoe, and to cut through a stormy wind, with great seas, every minute in hazard of life, to the Sachem’s house. Three days and nights my business forced me to lodge and mix with the bloody Pequod ambassadors, whose hands and arms, methought, wreaked with the blood of

<sup>1</sup>It was not until 1658 that the Arnold party, upon their own petition, were granted discharge from subjection to Massachusetts. It is a significant fact that Benedict Arnold had in the year before been elected president of the Rhode Island Colony, having renounced his allegiance to the Bay government.

<sup>2</sup>This fact is noted by James Brown, in an early MS. account of the settlement of Providence (in the possession of the R. I. Hist. Soc.); also that a cow then sold for £22, and that a feast consisted of a “boiled bass without any butter”.

my countrymen, murdered and massacred by them on the Connecticut River, and from whom I could not but nightly look for their bloody knives at my own throat also. When God wondrously preserved me, and helped me to break to pieces the Pequod's negotiation and design, and to make and promote and finish, by many travels and charges, the English league with the Narragansetts and Mohegans against the Pequods."<sup>1</sup>

In October, 1636, Miantonomi went to Boston and concluded with the Bay government a formal alliance against the Pequots, both parties reposing the utmost confidence in Williams as mediator and interpreter. The Pequots, foiled in their attempt to win over the Narragansetts, determined to prosecute the war unaided. The details of this struggle, no part of which, thanks to the interposition of Williams, took place on Rhode Island soil, are recounted in every history and need not be alluded to here. The labors of Williams did not end with his procuring an Indian league. He entertained the Massachusetts companies in Providence, established a friendship between the soldiers and the Narragansetts, while the scores of letters that passed between him and Winthrop show that a large part of his time for two years was spent acting as interpreter and also as the medium of intercourse between the Bay and the army. The aid of Williams in this struggle cannot be too lightly passed over, and the vain attempt of the Plymouth Colony in later years to recognize these services only serves to accentuate to what an extent religious antipathy could go.<sup>2</sup>

As has already been said, religious discord was another source of trouble in the struggling colony. Religious enthusiasts and exiles who, from varying reasons, had departed from a stern, theocratic rule could scarcely hold harmonizing opinions in theology. The first recorded case of conflict arose from the action of one Joshua Verin, who tried to restrain his wife from listening to Roger Williams's sermons. Winthrop narrates the particulars of the incident,<sup>3</sup> but either

<sup>1</sup>Letter to Major Mason, 1670, in *Narr. Club. Publ.* vi, 338. For Williams's part in this war we have to depend upon his own letters, chiefly to Winthrop. Arnold notes (*Hist. of R. I.*, i, 91) that no early annalist except Winthrop acknowledges his aid. For the early histories of the war see Winsor, *Narr. and Crit. Hist.* iii, 348.

<sup>2</sup>In his letter to Mason, Williams relates that Governor Winthrop "and some other of the Council motioned and it was debated, whether or no I had not merited, not only to be recalled from banishment, but also to be honored with some remark of favor". The silence of the Court records upon the question amply testifies how it was received.

<sup>3</sup>*History of N. E.* i, 283.



from his own enmity toward religious toleration or from the untrustworthiness of his informer, attempts to justify Verin in the matter. The Town of Providence, however, thinking that duty to God transcended all mortal obligations, on May 21, 1638, ordered "that Joshua Verin, upon the breach of a covenant for restraining of the liberty of conscience, shall be withheld from the liberty of voting till he shall declare the contrary".<sup>1</sup> If we may trust Williams's testimony in the matter, Verin might well have been punished for the civil crime of wifebeating. However this may be, his action was surely in violation of the principles upon which Providence was founded, and would no more be countenanced by us than it was by these early legislators.

Although several of the early companions of Roger Williams fled to escape religious persecution, it did not necessarily follow that they intended the erection of a church of their own. There was dissension and often apathy in religious as well as political matters. As Henry C. Dorr justly remarks, "the majority manifested little sympathy with Williams, except in his negative opinion as to what the state should *not* do".<sup>2</sup> Toward the close of 1638 several of the more rigid separatists who favored anabaptism removed from the Bay Colony to Providence. They seem to have been the deciding influence in the formation of a church there, for Winthrop, under date of March 16, 1639, records the following: "A sister of Mrs. Hutchinson, the wife of one Scott, being affected with anabaptistry, and going last year to live at Providence, Mr. Williams was taken (or rather emboldened) by her to make open profession thereof, and accordingly was baptized by one Holyman, a poor man, late of Salem. Then Mr. Williams re-baptized him and some ten more".<sup>3</sup> This baptism had been generally

<sup>1</sup>*Prov. Rec.* i, 4. Williams, in a letter to Winthrop of May 22, 1638 (*Narr. Club*, vi, 95), writes: "We have been long afflicted with a young man, bolsterous and desperate, Phillip Verin's son of Salem, who as he hath refused to hear the word with us (which we molested him not for) this twelvemonth, so because he could not draw his wife, a gracious and modest woman, to the same ungodliness with him, he hath trodden her under foot tyrannically and brutishly; which she and we long bearing, though with his furious blows she went in danger of life, at the last the major vote of us discard him from our civil freedom, or disfranchise."

<sup>2</sup>*R. I. Hist. Soc. Coll.* ix, 10.

<sup>3</sup>Winthrop, i, 293. S. S. Rider in *Book Notes* (xiii, 121) asserts, with considerable degree of probability that "Winthrop's story lacks a sufficiently sound basis for a fact; and possesses too much inherent improbability for the truth." For the names of the original members, see *250th anniversary of the First Baptist Church*, p. 37. Other references to a history of the church are John Stanford's account in Rippon's *Baptist Register*, 1801-02, p. 793; Edwards' *Hist. of Baptists in R. I.* (*R. I. Hist. Soc. Coll.* v, 6); H. Jackson, *Churches in R. I.*; *Hist. of the First Baptist Church*, 1877; H. M. King, *The*

regarded as the establishment of the first Baptist church in the New World. Williams remained as their leader but three or four months, and then, on account of his dissent in regard to baptism, left it and became a "Seeker". But the church survived, chose another leader, and slowly increased with the community. The subsequent history of this church cannot be traced at present; suffice it to say that it endured later schisms, exercising no voice in the civil conduct of the community, and entirely repudiating the Puritan prophecy that no Christian society could flourish amidst religious liberty.

The Providence colony was now sufficiently well grown to give promise of lasting political durability. The great principle established by its founder was continually bringing newcomers to its soil, who, even if they did not agree with Williams's idea of government, could there worship God as their consciences persuaded them. Their coming was a source of constantly added strength to the little settlement, and that which was Rhode Island's gain was Massachusetts's loss. As Charles Francis Adams has well remarked, "In reality, Massachusetts missed a great destiny; it 'like the base Judean, threw a pearl away, richer than all his tribe'; for both Roger Williams and young Sir Harry Vane were once part of the Commonwealth—they had lain, as it were, in its hand. The stones which the builders refused became the headstones of the corner".<sup>1</sup> But, although the settlement was a political community within itself, on account of its lack of chartered powers, it could not obtain recognition from its neighbors. It was opportune, if not necessary, that the "squatter's sovereignty" should be replaced by the sanction of royal authority.

*Mother Church*, and the historical discourses of W. Hague, S. L. Caldwell, S. G. Arnold, and H. M. King. Arnold, *Hist. of R. I.*, i, 108, summarizes the dispute with the Baptist Church at Newport as to priority. Henry M. King, in the *Baptism of Roger Williams*, successfully contradicts the theory that Williams was baptized by sprinkling instead of immersion.

<sup>1</sup>*Massachusetts; its historians and its history*, pp. 25, 27.

## CHAPTER IV.

### THE ANTINOMIANS AND AQUEDNECK.

Not quite a year had passed after the banishment of Williams when another movement dared to oppose the soul-crushing theocracy of Massachusetts, and like its predecessor, by persecution and banishment, was speedily suppressed. And again Rhode Island was to be the gainer. Only the briefest account of this controversy—commonly called the Antinomian movement—can here be given.<sup>1</sup> It was in September, 1634, that there arrived at Boston a woman endowed with unusual intellectual power and emboldened with an energy that amounted almost to fanaticism. At her home in England she had listened to the sermons of Cotton and her brother-in-law, John Wheelwright, and had now come to enjoy again the preaching of the former. She soon began to hold at her house religious meetings for women, which, from her nimble wit and courageous attitude on religious questions, became very popular. By the spring of 1636 her influence, especially in Boston, seemed to be at its height. In May of that year she had been joined by her brother-in-law, Wheelwright, and during the same month there had been elected to the office of governor a man whose political prestige was eventually to give great aid to her cause. This was Henry Vane, a young Englishman, whose high birth, brilliant intellectual powers, and ability in diplomacy make him a dazzling figure against the dull Puritan background. Winthrop tells us that he “forsook the honors and preferments of the court, to enjoy the ordinances of Christ in their purity here”. If so, his life in New England, as a recent English commentator has remarked, must have been a “continuous disenchantment”.

It was just about at this time that the popularity of Mistress

<sup>1</sup>This movement has been treated in a most satisfactory manner by C. F. Adams in his *Three Episodes of Mass. History*. Reference should also be made to G. E. Ellis, *Puritan Age in Mass.*; B. Adams, *Emancipation of Mass.*; and *Publications of the Prince Society*, vol. 22. There is an enumeration of authorities in *Mem. Hist. of Boston*, 1, 176.

Hutchinson began to assume a dangerous attitude. Actuated by religious enthusiasm, she occasionally drew invidious comparisons between certain ministers, saying that "none of them did preach the covenant of free grace, but Master Cotton, and that they have not the seal of the Spirit, and so were not ministers of the New Testament".<sup>1</sup> This "covenant of grace", which was to form the war-cry of the Antinomians in their struggle, and which was destined to lead them into much unintelligible and profitless discussion over doctrine, related to the evidencing of justification. How was a man to justify himself before his God? By his "faith", or by his "works"? The Hutchinson party denied the intrinsic efficacy of good works as means of salvation, and claimed to be living under a "covenant of grace", all the time denouncing their opponents as being made under a "covenant of works". The contention over these two doctrines—of which Winthrop keenly remarked, "no man could tell, except some few who knew the bottom of the matter, where any difference was"<sup>2</sup>—divided the whole community into two religious parties. Governor Vane, Cotton, and all but half a dozen of the Boston Church espoused the cause of Mrs. Hutchinson and Wheelwright. Arrayed against them were Winthrop, Wilson—the pastor of the Boston Church—and virtually all the clergy in the colony outside of Boston. The excitement was intense; disputations were frequent, each side accusing the other of holding heresies and disturbing the peace of Church and State.

At this juncture, in December, 1636, an incident occurred which gave more of a political bearing to the controversy and placed the character of Vane in a light not entirely to his credit. One day he called the court together and announced that he must immediately return to England to attend to certain private affairs. A sorrowful remonstrance greeting this communication, he asserted that he would have hazarded all private business, had he not foreseen the danger liable to arise from the prevalent religious dissensions, of which it had been scandalously imputed that he was the cause. The court silently acquiesced to his departure and made arrangements for the election of his successor. But again he changed his mind. After a day's reflection, in which he listened to the persuading influence of some of the Boston congregation, he declared that he was an obedient child of the church and did not dare to go away. So the whole affair held over

<sup>1</sup>Welde, *Short Story*, p. 36.

<sup>2</sup>Winthrop, i, 213. Antinomianism, literally interpreted, meant a denial of the obligations of moral law. The opponents of Antinomianism were called legalists.

until the next May election. Vane's vacillating conduct on this occasion has greatly prejudiced his reputation. Whether he had grown weary of religious dissension, or really feared danger to the colony, or was merely testing the strength of his position is all a matter of surmise. Surely no one of these reasons is becoming to the conduct of a true statesman.

The controversy now began to assume the attitude of bitter partisanship. The court, the majority of whom were legalists, interfered and convoked the ministers to give their advice. Debates, disputations, and exhortations followed in quick succession, all of which only served to spread the doctrines more widely. In March, 1637, the court found Wheelwright guilty of sedition and contempt in a fast day sermon preached a few weeks before. The sermon—which is fortunately preserved—does not show the least evidence of either sedition or contempt. That a verdict could be brought from such unwarrantable charges only shows how far these ecclesiastical dictators could pervert justice in order to suppress opposition to their ideas. As soon as the judgment was announced, the Boston church signed a respectful petition in Wheelwright's behalf, which noble remonstrance was later to subject them to unreasonable severity.

The election of May, 1637, resulted in the choice of Winthrop as governor and the implacable Dudley as deputy-governor. Vane was entirely displaced, as were also his followers, Coddington<sup>1</sup> and Dummer; but Boston retaliated by electing both Vane and Coddington as deputies. The legalists, however, were now strongly in power, and henceforth took the initiative. By their first act the court ordered that no person should entertain any emigrant for more than three weeks without sanction of the magistrates. This flagrant law was aimed directly at the Antinomians, who were expecting fresh adherents to their party from England, and occasioned so much outcry that Winthrop thought it necessary to publish an apology. In this he claimed the abstract right of the state to exclude those who disturbed its peace, but in admitting that religious differences were the cause of the legislation, rather invalidated his argument. Vane, after a somewhat weak reply to Winthrop, sailed for England.

<sup>1</sup>William Coddington, who was later to figure so prominently in Rhode Island affairs, was also one of the most prominent men in the Boston Colony. For his early life see Adams, *Three Episodes*, p. 546; Austin's *Geneal. Dict. of R. I.*, p. 276; *N. E. Hist. and Geneal. Reg.* xxviii, 13, xxxvi, 138; and *Mag. of N. E. History*, i, 228. The oft-quoted statement that he owned the first brick house in Boston originated in his *Demonstration of True Love*, p. 4 (quoted in Palfrey i, 328); although the fact that it was brick is traceable only to Callender, *Hist. Discourse*, p. 3 of preface.

With this powerful friend of Antinomianism out of the way, the legalists set about to crush out their opponents. In August, 1637, a synod of all the divines, held at Cambridge to settle the existing differences, passed condemnation on eighty-two "erroneous opinions" and nine "unwholesome expressions". Cotton, one of the strongest allies of the Hutchinson party, now saw how the stream was flowing and, desirous to recover "his former splendour throughout New England", deserted to the stronger party. The rest of the leaders, however, remained unconquered, and the question now was chiefly as to the mode of applying the punishment.

The court, at its November session, summoned Wheelwright, and upon the strength of his conviction in March, sentenced him to banishment. So, on a bitter winter's day, with deep snows upon the ground, he journeyed forth to the Piscataqua, the first of his party to undergo bodily suffering for voicing his religious opinions. A pretext for punishing the other leaders was found in the petition which several of Wheelwright's friends had presented in his behalf eight months before. The petitioners were given their choice of disavowing their act or bearing the consequences. Aspinwall was banished; Coggeshall, who had merely approved the petition, was disfranchised; Coddington and nine others were given leave to depart within three months or abide the action of the court; others were disfranchised and fined; and somewhat later seventy-one more persons were disarmed.

The trial and subsequent fate of Anne Hutchinson, the author of the whole controversy, forms a fitting sequel to these deeds of harshness and oppression. It was before this same November court that the poor woman, feeble in health, but undaunted in courage, was brought to answer to the various charges of calumny and contempt and heresy. The doings of this assembly read more like the proceedings of a Spanish inquisitorial court than the action of a body of law-loving Englishmen. The presiding justice, attorney-general, and foreman of the jury were one and the same person; the witnesses for the prosecution were allowed to testify without oath; and the few who dared to speak in the defendant's favor were speedily intimidated. But through it all she remained firm and unshaken. Not a loophole did she leave, whereby her opponents could trump up a charge against her, until on the second day of her trial she broached the doctrine of inward revelation, claiming herself to be inspired. Eagerly did the prosecution seize upon this slender thread, and cried out against the perniciousness of her words. It was then that Coddington arose and exclaimed, "I do not for my own part see any equity in the court in all your proceed-



ings. Here is no law of God that she hath broken, nor any law of the country that she hath broke, and therefore deserves no censure''.<sup>1</sup> But this was a case where appeals to justice could be of no avail. The trial was a mere formality, the verdict of guilty being a precluded result. The sentence of banishment was passed, but execution was postponed until spring. In the mean while it was hoped that she would recant. Her courage, however, stood her in good stead, and in spite of the persecution of several ministers, in spite of excommunication from her church, she remained unshaken and gloried in her sufferings. In March, 1638, the execution of the sentence was issued, and the arch-heretic departed into exile, never again to return to the scene of her former triumphs.

Thus ended the Antinomian movement. Giving as an excuse "political necessity", the legalists had frightened the timid into submission, and persecuted and banished those who dared to offer opposition. And what had the Antinomians accomplished? They had brought only harm upon themselves and left the clergy in a more unassailable position than before. Charles Francis Adams well summarizes their movement when he says, "There was need enough for reform; but, to be useful and healthy, reform had to come more slowly and from another direction. Neither did Anne Hutchinson or her following hold forth any promise of better things. Theirs was no protest against existing abuses. On the contrary, in their religious excesses, they outdid even the clergy—they out-heroded Herod. Their overthrow, accordingly, so far as it was peculiar to themselves and did not involve the overthrow of great principles of religious toleration and political reform, was no matter for regret''.<sup>2</sup> As for the Puritan prosecutors, their proceedings are less defensible than in the case of Williams, whose arguments more closely touched the civil power. Persecution was one of the precepts of their faith, and if presumed political necessities compelled them to choose between justice and oppression, they invariably chose the latter. Thus they established a religious absolutism which was to remain all-powerful for forty years. But this so-called period of tranquillity was really a period of torpor, in which superstition and bigotry repressed every form of a social and intellectual activity. As a keen English writer has justly remarked,<sup>3</sup> "The spiritual growth of Massachusetts withered under the shadow of dominant orthodoxy; the colony was only saved from mental atrophy by its vigorous political life."

<sup>1</sup>*Prince Soc. Publ.* xxi, 280.

<sup>2</sup>*Three Episodes*, p. 574.

<sup>3</sup>Doyle, *Puritan Colonies*, 1, 140.

To the evidenced desire of the Massachusetts government to be rid of a body of its most intelligent and prosperous colonists, Rhode Island owes the origin of what for a century and a half was her leading town. In the late autumn of 1637 several of the Antinomians, realizing that if they thought as their consciences dictated they could never live at peace with the Puritan clergy, decided to begin a settlement elsewhere. Accordingly, they deputed John Clarke and a few others to seek out a place. The cold of the ensuing winter inducing them to go toward the south, they embarked one day in the early spring, with but little idea as to their eventual destination. But the narrative of their journey is best told in Clarke's own words.<sup>1</sup> "So, having sought the Lord for direction, we all agreed that while our vessel was passing about a large and dangerous Cape, we would cross over by land, having Long Island and Delaware Bay in our eye for the place of our residence; so to a town called Providence we came, which was begun by one M. Roger Williams . . . by whom we were courteously and lovingly received, and with whom we advised about our design; he readily presented two places before us in the same Narragansett Bay, the one upon the main called Sowwames, the other called then Acquedneck, now Rode-Island". The narrative goes on to relate how Williams, Clarke and two others journeyed to Plymouth to find out whether the lands in question were claimed by that government. The answer was "that Sowwames was the garden of their Patent, and the flour in the garden", but if Aquedneck was decided upon, "they should look upon us as free, and as loving neighbors and friends should be assistant unto us upon the main".

Since the local sachem was tributary to Canonibus and Miantonomi, it was from these chiefs that Aquedneck had to be obtained.<sup>2</sup> On March 24, 1637, the whole island, together with the grass on several smaller islands, was conveyed to William Coddington and his friends for forty fathoms of white peage and a few extra gratuities to local sachems.<sup>3</sup> About a fortnight previous they had organized themselves into a political body, according to the following compact: "The 7th day of the first month, 1638. We whose names are underwritten do here solemnly in the presence of Jehovah incorporate ourselves into a

<sup>1</sup>John Clarke's *Ill Newes from New England*, 1652, reprinted in *4 Mass. Hist. Soc. Coll.* ii, 1.

<sup>2</sup>Roger Williams records that "It was not price or money that could have purchased Rhode Island, but 'twas obtained by that love and favour which that honored gentleman, Sir Harry Vane and myself, had with the great Sachem Miantonomo." *Narr. Club Publ.* vi, 305.

<sup>3</sup>The deed and receipts for gratuities are in *R. I. Col Rec.* i, 45.



Bodie Politik and as he shall help, will submit our persons, lives and estates unto our Lord Jesus Christ, the King of Kings and Lord of Lords, and to all those perfect and most absolute laws of his given us in his holy word of truth, to be guided and judged thereby."<sup>1</sup>

Having taken this initial step, they elected Coddington "judge", or chief magistrate, he engaging to "do justice and judgment impartially according to the laws of God". They also appointed a secretary and clerk. All these preparatory proceedings had been enacted at Providence. They now were ready for settlement, and chose as the most desirable situation the land around the cove at the northeasterly end of the island.<sup>2</sup> Here they planted, enacting as their first law that none could become inhabitants except those who should be "received in by the consent of the Bodie and do submit to the Government". During the ensuing year they passed many local acts, making provision for the maintenance of peace and order, for military organization, for the location of a meeting-house, for validating land titles and for many other needs—all somewhat in contrast to the loose and inefficient enactments of the earlier settlement at the head of the Bay.

Before the settlement was a year old there came a slight change in the governmental organization. The original compact had provided for a perfect democracy, in which all laws were passed by the general body of freemen, of whom the judge was merely the presiding officer. But now, as at Providence, an approach toward delegation of power was deemed expedient. On January 2, 1639, it was enacted that the judge, assisted by his three "elders", should govern "according to the general rule of the word of God". Once every quarter they were to report to the assembled freemen, whose power of veto is thus quaintly

<sup>1</sup>*R. I. Col. Rec.* 1, 52. It is subscribed to by Wm. Coddington, John Clarke, Wm. Hutchinson, Jr., John Coggeshall, Wm. Aspinwall, Samuel Willbore, John Porter, John Sanford, Ed. Hutchinson, Jr., Thos. Savage, Wm. Dyre, Wm. Freeborne, Phillip Shearman, John Walker, Richard Carder, Wm. Baulston, Ed. Hutchinson, Sr., Henry Bull, and Randall Holden. The Antinomian influence upon these first settlers is shown by the fact that all, except Coddington, Ed. Hutchinson, Jr., and Holden, were named in the disarming act of the previous November. (See *Mass. Col. Rec.* 1, 211.)

<sup>2</sup>One of the first orders was that "the Town shall be bullded at the spring", at the head of the cove, which at that time had a navigable outlet to Narragansett Bay on the northern side. The first house-lots, mostly of six acres, were laid out on the westerly border of the cove. The remains of the settlement could a few years ago be clearly traced; but there is now no house or foundation remaining to show where these first settlers planted. The Indian name for the place of settlement, and also for the main land opposite, was Pocasset (see Callender's *Discourse*, p. 33). The name Portsmouth was agreed upon in July, 1639, although it seems to have been used earlier. (See *R. I. Col. Rec.* 1, 71-72.)

expressed: "If by the Body or any of them the Lord shall be pleased to dispense light to the contrary of what by the Judge and Elders hath been determined formerly, that then and there it shall be repealed as the act of the Body." This new mode of government lasted but four months. During this interval the Coddington faction seem to have urged that the officers in power should be granted a larger amount of authority. Failing, apparently, to impress the majority of the settlers with the wisdom of this course, they determined to build another town.<sup>1</sup> On April 28, they met at Pocasset and drew the following instrument: "It is agreed by us whose hands are under written, to propagate a Plantation in the midst of the Island or elsewhere; and doe engage ourselves to bear equall charges, answerable to our strength and estates in common; and that our determinations shall be by major voice of judge and elders; the Judge to have a double voice."<sup>2</sup>

The five officers of the little settlement and four others signed this compact, and taking the records of the town in their possession, proceeded to seek a new plantation. The remainder of the inhabitants, thus deprived of their officers and their records, immediately set about the organization of a new government. On April 30 they made as their first entry on a new record-book the following: "We whose names are underw[r]itten acknowledge] ourselves the loyal subje[cts of his Majestie] King Charles, and in his na[me do bind our]selves into a Civill body Politicke: a[ssenting] unto his lawes according [to right and] matters of Justice".<sup>3</sup> They then chose William Hutchin-

<sup>1</sup>I do not at all agree with Callender and Arnold in assuming that the increase of population caused the planting of a new town. Infant settlements are not often burdened with over-population; nor are there any records to show there was a notable increase. Callender dedicated his book to Coddington's grandson, and for personal reasons could not impute unworthy motives to the grandfather; and Arnold simply follows Callender. Coddington, as we shall see in his later life, strongly believed in centralization of power, especially when that power was centralized in him. It is probable that there was some tumult in the process of separation, although the evidence of that fact comes from the pens of Massachusetts writers who would have been only too willing to give credence to the slightest rumor of insurrection on the Island. (See Winthrop, I, 295.) The seceders were in the minority, but they evidently held the political control in the community.

<sup>2</sup>*R. I. Col. Rec.* I, 87. This compact is signed by Wm. Coddington, Judge; Nicholas Easton, John Coggeshall and William Brenton, Elders; William Dyer, Clerk; and John Clarke, Jeremy Clarke, Thomas Hazard, and Henry Bull.

<sup>3</sup>*Portsmouth Rec.* p. 1. The words within the brackets are supplied to complete the sense. The thirty-one names, headed by Wm. Coddington and Samuel Gorton, signed to this compact are for the first time rightly given in the recently issued Portsmouth records. The names questioned in Arnold

son as judge and elected eight assistants.<sup>1</sup> Provision was made for a quarterly court of trials, with a jury of twelve men, although small cases could be tried before the assistants. This was a government constructed according to English law—the first in the colony to acknowledge allegiance to the king or to provide for an English jury trial. It differed widely from the government of the seceders. They judged “according to the word of God”, which gave to the judge considerable latitude in Biblical interpretation. The Portsmouth settlement, although it had the stronger polity and was also stronger numerically, soon showed its inevitable dependency on the Coddington party. Being the natural leaders, they speedily acquired control of the Island. The Portsmouth records are henceforth given over to the recording of local items; and the subsequent history of Aquedneck must be traced in the doings at Newport.

Meanwhile, how had the seceders fared? On April 30, only two days after the compact, Nicholas Easton came with his two sons to a little island, which they named Coaster’s Harbor. On the following day they arrived at Newport, where they planted and erected the first English house.<sup>2</sup> It is evident that the rest of the signers immediately followed, for on May 16, 1639, they made as their first town order that “the Plantation now begun at this Southwest end of the Island, shall be called Newport”, and that “the Towne shall be built upon both sides of the spring, and by the sea-side southward”.<sup>3</sup> They also made

1, 133, should be John Sloffe, Wm. Heavens, George Cleare, and John More. (See *R. I. H. S. Publ.* vi. 85.)

<sup>1</sup>*Portsmouth Rec.* p. 3. Hutchinson’s name, torn off in the mutilated record, is preserved by Winthrop, i, 295. The eight (not seven) assistants were Wm. Baulston, John Porter, John Sanford, Wm. Freeborn, John Walker, Philip Sherman, Wm. Aspinwall, and one other, probably Adam Mott.

<sup>2</sup>The source of the Easton narrative is in a diary noted on the margin of Morton’s *N. E. Memorial*. It is printed in Bull’s *Memoir* (in *Newport Mercury*, Dec. 26, 1857), and in *Narr. Hist. Reg.* viii, 240.

<sup>3</sup>*R. I. Col. Rec.* i, 88. Bull, in his *Memoir of R. I.* (*R. I. Hist. Mag.* vii, 191) relates the tradition of settlement as follows: The land fronting on the harbor where Thames street now is, was then an impenetrable swamp, which circumstance so discouraged the settlers that they concluded to locate the town near Easton’s Beach; but on further survey, they found the roadstead there unsafe for shipping, which obliged them to resort again to the spot where Newport now stands. Miss E. C. Brenton repeats this tradition (*Hist. of Brenton’s Neck*, p. 5), and adds that the swamp was fired, cleared and filled in by the Indians for the gift of a coat with brass buttons. The spring in question rose on the west side of Spring street, near the State House, and ran northwesterly into the harbor. Home-lots of four acres each, most of them extending from Spring street to the bay, were assigned to the proprietors. The first houses were built in the vicinity of the present Parade, the Easton house being on the easterly side of Farewell street, a little west from the Friend’s Meeting House. The Coddington house, torn down in 1835, was

the division from Pocasset on a line five miles north and east from the town, and then proceeded to the laying out of their lands.

Now that the Coddington party had erected a government according to their own liking, they decided to draw their Portsmouth comrades back into the fold. They appointed commissioners to "negotiate with our brethren of Pocasset", and by October 1 thought this project far enough advanced to assume practical union. On that date was issued a "Catalogue of such who, by the general consent of the Company were admitted to be inhabitants of the Island now called Aquedneck". This included lists of Portsmouth and Newport settlers, all of whom, according to the record, had "submitted themselves to the Government that is or shall be established, according to the word of God therein". Whether or not this partnership seemed undesirable to the Pocasset "brethren", the action of the Newport body on November 25 is significant. They then made an order concerning courts, prefacing it by what is undoubtedly a concession to the Portsmouth principle of English allegiance: "In the fourteenth yeare of the Reign of our Soveraign Lord King Charles, it is agreed that as natural subjects to our Prince, and subject to his Laws, all matters that concern the Peace shall be," etc. Two men, furthermore, were appointed to take steps about "obtaining a Patent of the Island from his Majestie". They styled themselves as "the Body Politicke in the Ile of Aquethnec", and at the same meeting issued further orders to the commissioners as to effecting a union with Portsmouth. Their efforts were now finally crowned with success. On March 12, 1640, decreed two months before as Election Day, the "brethren" came in. The first entry in the records on this day reads that William Hutchinson and the other leaders of the neighboring settlement, all mentioned by name, "presenting themselves, and desiring to be reunited to this body, are readily embraced by us". This preliminary proceeding having been settled, it was then agreed by "this Bodie united" that the chief magistrate of the island should be called governor, and the next deputy-governor, and the rest of the magistrates assistants. The governor and two assistants were to be chosen in one town, and the deputy and two other assistants in the other town. The election resulted in the choice of Coddington as governor and William Brenton as deputy-governor.<sup>1</sup> The union was complete, but the joint signers were not to be equal

on the north side of Marlborough street, fronting Duke street. Stephen Gould, however, in a letter to John Howland (MS. in R. I. H. S.) stated that this house was built about 1670, Coddington's first residence having been near Coddington's Cove.

<sup>1</sup>For these and other Newport proceedings, see *R. I. Col Rec.* i, 87-101.

partners in the contract. It was the Newport settlement that was henceforth to control both the initiative in legislation and the power in government.

Now that the two separated towns were consolidated, the injection of the Portsmouth idea of self-governing democracy with its right to political existence vested in royal authority, seems to have borne immediate fruit and rendered dormant any autocratic aspirations of the Coddington party. In March, 1641, one year from the date of union, it was recorded that "the Government which this Bodie Politick doth attend unto in this Island, and the Jurisdiction thereof, in favor of our Prince is a Democracie, or Popular Government; that is to say, it is in the power of the Body of freemen orderly assembled, or the major part of them, to make or constitute just laws, by which they will be regulated, and to depute from among themselves such ministers as shall see them faithfully executed between man and man".<sup>1</sup> The government thus existed as a democracy until the union of the towns into a colony in 1647. In May, 1644, a name was provided for this colony in the following words: "It is ordered by this Court, that the island commonly called Aquethneck, shall be henceforth called the Isle of Rhodes, or Rhode Island."<sup>2</sup>

<sup>1</sup>*R. I. Col. Rec.* i, 112. This same assembly ordered that a seal—a sheaf of arrows with the motto *Amor vincet omnia*—should be provided for the "State". The Newport records exist through 1642, and for one meeting in 1643 and 1644 respectively. There are no records from 1645 until the meeting under the patent in May, 1647. The only record for this interval exists in the action of the Court of Trials. These records, which often throw important light on the history of the period, are as yet unprinted, Bartlett having printed the Colonial Records as far as 1679 from the Gyles copy of the *assembly* records.

<sup>2</sup>*R. I. Col. Rec.* i, 127. The origin of the name of Rhode Island has given rise to much discussion. That it was transferred from Block Island, compared by Verrazano to the Isle of Rhodes; that it came from the Dutch "Roode Eylandt," the reddish appearance of a certain island in the Bay having been noted by Block; and that the action of the Assembly in 1644 is sufficient reason for its origin—have all been advocated as theories. Dr. J. C. Kohl sums up all the theories (*Mag. Am. Hist.* ix, 81) and adds another—that the name was given to immortalize a Mr. Rhodes who might have lived there. He makes no preference, however, and assumes that all these theories are accountable for the origin. Most authorities favor the Dutch origin, instancing the fact that the name "Roode Eylandt" occurs in all the early Dutch maps; but they overlook the fact that the name does not occur on the *earliest* Dutch maps, and that the first to have the name was the Visscher map of 1650-56 (see Asher's *Bibliog. Essay*, 2d suppl. p. 17). It is significant that this was nearly a decade after the island had been expressly named Isle of Rhodes, or Rhode Island. The first Dutch use of the name is in 1645, and then it is called Rhode Island and not Roode Eylandt (O'Callaghan's *Coll. of Hist. Mss.* p. 98). In all subsequent references until the publication of the Visscher map, it is called by the English name or else "Island of Nahi-



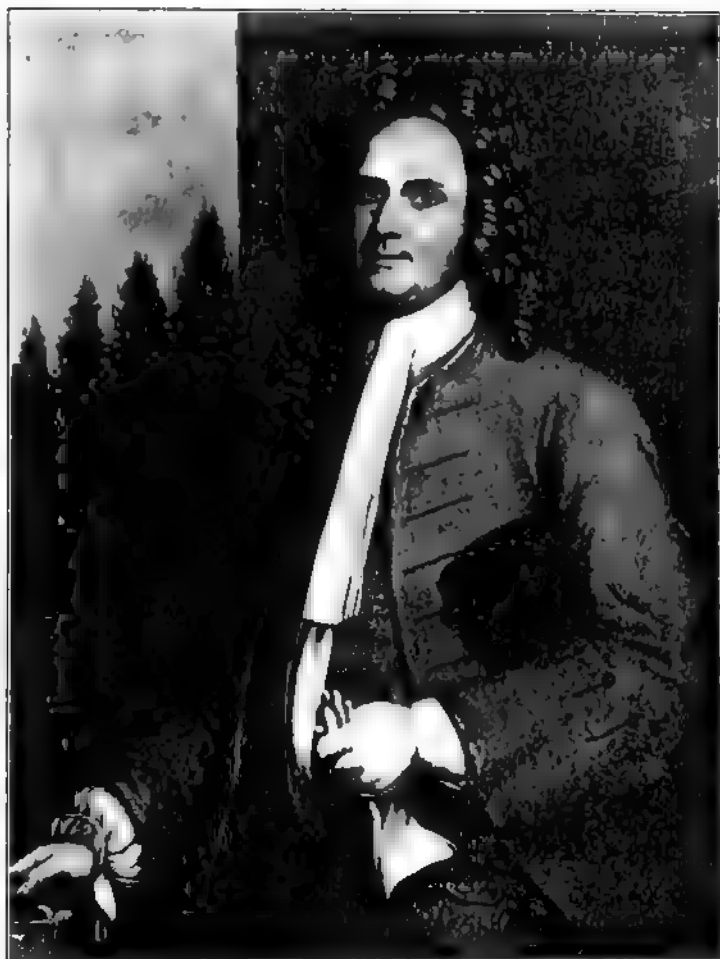
The social and religious, as well as the political, framework of the Newport settlement was already in a far better condition than at Providence. Although a few of the many slanders of their Massachusetts neighbors may have been true of the earlier settlement, they could scarcely apply to Aquedneck. The Boston magistrates had a woeful habit of treating as heretics and atheists all those who differed from them in the non-essentials of religion; and the Antinomian exiles formed no exception to this rule. All their religious endeavors were but new broachings of heresy, and the smallest of petty crimes were taken as symptoms of sure disorder. But, as we shall see, the Aquedneck settlers were as watchful of their spiritual welfare as their former brethren of the Bay, and were certainly far more advanced in solving the problem of true religion.

At Portsmouth we have seen that one of their first acts was to provide for the location of a meeting-house. Although this place of worship was undoubtedly not then erected, it is certain that they held religious meetings, as Mr. Clarke is described by Winthrop as "a preacher to those of the island".<sup>1</sup> This same author, writing in May, 1639, says, "They also gathered a church in a very disordered way; for they took some excommunicated persons, and others who were members of the church at Boston and not dismissed".<sup>2</sup> This church,

cans" (as in the Hartgers map, 1651). These facts lead to the conclusion that the origin of the name Rhode Island, as decreed by the Newport Assembly in May, 1644, was not all due to the Dutch "Roodt Eylandt", which probably owed its origin to the English name. Roode Eylandt, moreover, is merely the Dutch equivalent for the English name, so far as pronunciation is concerned. It has already been noted (p. 9) that Block's "little reddish island" applied to an island in the western part of the bay, and not to Aquedneck. S. S. Rider, in a review of Kohl's theories (*Book Notes*, vii, 29, 37) clearly disposes of the Dutch etymology, and shows that all the historical facts point toward a Greek origin. Roger Williams in a letter of 1637 (*Narr. Club. Publ.* vi, 18) mentions "Aquedneck, called by us Rhode Island, at the Narragansett's mouth"; and in a letter of 1666 (*R. I. H. S. Publ.* viii, 152) he says, "Rhode Island, in the Greek language, is an Ile of Roses".

<sup>1</sup>Winthrop, p. 271, under date of Sept., 1638. Callender's assumption (p. 63) that the meeting-house was built is merely an inference from the records, disproved by subsequent facts.

<sup>2</sup>Winthrop, p. 297. This Puritan opinion, as Arnold remarks, "will not be held to militate against the piety or prudence of our ancestors". That this church was not organized, but merely a religious gathering, is proved by the statement of Francis Hutchinson, in July, 1640, desiring from the Boston church dismissal "to God and the word of his grace, seeing he knew of no church there [at Portsmouth] to be dismissed to" (Ellis, *Anne Hutchinson*, p. 338), and also of Lechford, in 1641, who says: "At the other end of the island there is another towne called Portsmouth, but no Church: there is a meeting of some men, who there teach one another, and call it Prophetie." (*Plaine Dealing*, p. 41.)



GOVERNOR WILLIAM CODDINGTON. .

FROM A COPY OF THE ORIGINAL IN THE REDWOOD LIBRARY, NEWPORT.

which lost the best part of its strength upon the secession of its officers, was Congregational in its tenets. The Portsmouth settlers, says Callender, "were Puritans of the highest form". They had emigrated from Massachusetts through dissent as to the evidencing of justification, and were now, as then, at one with their former brethren on most points of doctrine.

These same Congregational ideas were doubtless also held by the early Newport seceders, as anabaptism had not yet made much headway on the Island. At Newport, however, there was more of a semblance of church organization than at Portsmouth. Coddington, Dyer, and Coggeshall, according to a Boston record of 1640, had "gathered themselves into church fellowship",<sup>1</sup> being officiated over by Dr. John Clarke and Robert Lenthall. In August, 1641, a contention over some points of doctrine created a schism, and although the records of the proceedings are somewhat misty, it would seem that one side, headed by Coddington, embraced views later taken up and held by them as Quakers, while the other side, led by Clarke, united to form a Baptist church in 1644.<sup>2</sup>

Enough has been said to show that the Aquedneck settlers were not neglectful of their spiritual welfare. That they were equally regardful of the religious faith of others who perhaps dissented from their mode of worship is manifested by their acts protecting the rights of conscience. In March, 1641, the Court ordered that "none be accounted a delinquent for Doctrine; provided, it be not directly repugnant to the Government or laws established", and at the following session in September it was enacted that "the law made concerning Libertie of Conscience in point of Doctrine is perpetuated". It is true that these laws, so contrary to the prevailing spirit of the age, permitted enthusiasts, visionaries, and fanatics to live and work and talk side by side with orthodox thinkers; but it was precisely the absence of such laws that induced these settlers to leave England and later Massachusetts. They had no intention of allowing posterity to belittle them for denying the free discussion of religious problems—the very principle for which they themselves had contended.

<sup>1</sup>Keayne MS. in *Prince Soc. Publ.* xlii, 401; also Winthrop, i, 329. The Keayne MS. reports the proceedings of a commission sent by the Boston church to reclaim their brethren on the Island. It is needless to say that the delegation received little satisfaction.

<sup>2</sup>Winthrop ii, 40, enumerates the causes of the schism; see also Arnold i, 151. Lechford's MS. draft of his *Plaine Dealing* (see Trumbull's edition, p. 94) should be consulted in this particular. For the traditional date of 1644 as the founding of the Baptist Church, see Comer's statement (quoted in Jackson, *Churches in R. I.* p. 95), and Callender's *Discourse*, p. 63.



In their provisions for the execution and recognition of the arm of the law, there exists fully enough evidence to vindicate the Aqued-neck colonists from any aspersions of their Massachusetts neighbors. If their Boston brethren asserted that they "denied all magistracy", they could well retort that they never called in the clergy to pass judgment on civil offenses. Scarcely a New England community, while in its infancy, provided so careful and liberal a framework for the execution of justice. We have seen how the Portsmouth settlers, at the time of the separation, organized a quarterly court, with an English jury trial. Those at Newport soon followed suit. Although their small number did not require at first any regular court organization, yet, in 1640, the second year of their settlement, we find established an orderly judicial system, with monthly courts, right of appeal to quarter sessions, and trial by jury.<sup>1</sup> The accessories of justice—the stocks and the whipping post—were provided for in each town, and at Newport a prison was soon built.<sup>2</sup> All these provisions for the vindication of violated laws and the absolute impartiality of their execution stand out somewhat in contrast to the situation at Providence, where the decision of such matters by arbitration often led to wrangling and disorder. It is through the observation and study of these provisions that we can fully believe John Clarke, when he thus describes the condition of the Island in 1652: "Notwithstanding the different understandings and consciences amongst us, without interruption we agree to maintain civil justice and judgment, neither are there such outrages committed amongst us as in other parts of the country are frequently seen."<sup>3</sup>

A study of the foregoing facts should offer convincing proof that the Massachusetts imputations of disregard of religion and law certainly were not true of Newport. A comparison with the condition of affairs existing at Providence will not be amiss at this point, and will also serve to show whether the aspersions of the Bay may not possibly have applied to the earlier Rhode Island colony. Although the actuating impulses of Roger Williams himself were religious, the chief end

<sup>1</sup>*R. I. Col. Rec.* 1, 103, 106, 124.

<sup>2</sup>From the absence of many Newport records between 1643 and 1647 it is not shown when this prison was built, but there is a reference to its existence in 1649 (*R. I. Col. Rec.* 1, 219.) It is worthy of remark that these provisional laws were not a dead letter, and also that the distinction of rank offered no obstacle to their execution. In the same month that two miscreants were fined for drunkenness, Nicholas Easton, an assistant, was fined for attending public meeting without his weapon.

<sup>3</sup>*Ill Newes from N. E.* (4 *Mass. H. S. Coll.* 11, 25.)

of the majority of his associates was to obtain as much land as possible in the new settlement. It was this aim, together with the presence of so many varying views on theology, that induced four-fifths of the community to take no part in the forming of what for many years was the only church in the town. Dissent in religion or else entire absence of it were for a long time obstacles to spiritual progress.

As for courts, there was a much more striking dissimilarity with the Newport settlement. Since judicial, as well as legislative, affairs were transacted in open town meeting, there was no court organization, no judge, no jury. After arbitration had failed, a suit was carried before the freemen as a body, where wrangling and lack of defined powers often left it to languish for several years. It was exactly this method of investing the town meeting with all the different powers of government that formed the great point of dissimilitude between the two settlements. A democracy, when possessing constitutional safeguards as to representation and division of authority, may be an excellent mode of government. But at Providence all possible contingencies were settled by the general body of freemen, and laws were inevitably the results of momentary suggestion. Such a method tended to aggravate rather than remedy existing disorders, and the government proved inefficient from sheer inability to enforce its own decisions. When we consider that to these faults of system were added the totally differing political views of the settlers, we can perhaps realize the justice of Sir Henry Vane's admonition sent to the Providence Colony in 1654 at the request of Roger Williams: "How is it there are such divisions amongst you? Such headiness, tumults, disorders and injustice? The noise echoes into the ears of all, as well friends as enemies, by every return of ships from those parts. . . . Are there no wise men amongst you? No public, self-denying spirits, that at least, upon the grounds of public safety, equity and prudence, can find out some way or means of union and reconciliation for you amongst yourselves, before you become a prey to common enemies?"<sup>1</sup>

What were the reasons for the contrast in the condition of affairs at the two towns? The dangers incident to settlement, such as famine and Indian depredations, threatened both alike. The chief cause of contrast lay not in any exigencies due to geographical location, nor yet in the slight disparity of population that existed, but in the difference of motive that inspired the planters of each community. Roger Williams's first design was to christianize the Indians, and when circum-

<sup>1</sup>*R. I. Col. Rec.* i, 285, under date of Feb. 8, 1654. The Town of Providence answered the letter on Aug. 27.

stances induced him to alter this plan and lay the foundation of a town, he was compelled to make many political concessions to his associates, some of whom cared as little for his opinions as did the people of the Bay. The primary settlement, then, was hasty and unprepared. Those who arrived later to help in the process of formation and who subsequently constituted the bulk of the population, came for the most part for two reasons: either as exiles from the Bay for various offenses, or else hoping to better an impoverished condition by obtaining profitable grants of land. Neither class was the most desirable to aid in the building of a town.

At Aquedneck, on the other hand, the motive was first and solely to form a political and religious community outside of the jurisdiction of Massachusetts. With this end always in view, the emigrants decided upon a suitable location and carefully laid their plans of settlement. Although a separation in their number occurred about a year after the planting, a reconciliation soon took place and thenceforth they were at one on most points of policy. Whatever petty strifes did arise—whether over land or debt or some criminal case—were quickly settled in orderly constituted courts. Their government possessed enough power to enforce execution of its decrees, and if obnoxious persons threatened their existence, they did not appeal to Massachusetts for aid in solving the difficulty. It is true that their order, their power and their unity were greatly furthered by the fact that as a class their social rank was superior to that of their Providence brethren. Of the latter, Williams was the only one who possessed a liberal education or who had attained to any prominence in Massachusetts. But at Newport, Coddington, Clarke, Coggeshall, Jeffries, the Hutchinsons, were men of wealth, learning and social acquirements, all of whom had been highly esteemed at their coming to New England. It was undoubtedly due to the influence of these men that such early provision was made for public education.<sup>1</sup> But in spite of the contrast between the two settlements in their legislatures, their courts, their churches, and their schools, the counteracting influence of such dissimilar communities undoubtedly worked for good in the end.

<sup>1</sup>On August 20, 1640, Robert Lenthal was called by the town to keep a "publick school", land being set aside for his use and for the school. This school has been claimed to be the first school supported by public taxation in America. Although schools were established in Ipswich, Boston, Charlestown, and Salem between 1633 and 1637, they were wholly or partially supported by private subscription. The school organized at Dorchester in 1639, being supported by a tax upon the proprietors, has a well established claim to priority. (See summary in Davis, *N. E. States*, iv, 1833, and W. A. Mowry's *The first Amer. public school in Education*, xxi, 535.)

While the Newport idea tended toward conservatism in public affairs, the Providence principle injected considerable vitality into political assemblies. If a "vigorous political life", as was once remarked, could save a colony from "mental atrophy", then Rhode Island's future was insured forever.

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## CHAPTER V.

### SAMUEL GORTON AND THE FOUNDING OF WARWICK.

The third settlement instituted within the borders of the future Rhode Island was Warwick, founded by Samuel Gorton and his followers. Like the two preceding settlements, it was primarily formed through stress of circumstances—the disinclination of the Puritan magistrates to tolerate certain views far too advanced for their narrow minds. It was a community, moreover, whose earliest history centered closely about the person and fortune of a single man. This man, who, through his peculiar political and religious opinions and his pertinacity in stating them, has been assailed with much undeserved abuse, was Samuel Gorton.<sup>1</sup> The story of his life must be briefly told. Arriving at Boston in March, 1637, at the age of forty-four, he found that colony in the throes of the Antinomian controversy. He must have soon observed that this austere commonwealth was no place for liberal thinkers, for we find him two months later removed to Plymouth, where he "gave hopes of proving an useful instrument". But little by little, the narrative runs, "he discovered himself to be a proud and pestilential seducer, and deeply leavened with blasphemous and familistical opinions".<sup>2</sup> At last the Plymouth magistrates became

<sup>1</sup>For the chief accounts of Gorton, see under *Biography* and *Warwick* in *Bibliography* at end of last volume. The most important original authorities are Winslow, *Hypocrisie Unmasked*, 1646, and a MS. draft in Deane's *Gorton*; Gorton, *Simplicities Defence*, 1646 (reprinted by Staples as v. 2 of *R. I. H. S. Coll.*), and his *Letter to Morton*, 1669 (printed in Force's *Tracts*, iv, no. 7); and Winthrop, *Hist. of New England*. See also an enumeration of authorities by Justin Winsor in *Mem. Hist. of Boston*, i, 171.

<sup>2</sup>Morton, *N. E. Memorial*, p. 108. The accusations of familism made against Gorton by several early writers are, from all evidence now at hand, utterly without foundation. None of his writings show that he espoused the doctrines of the disciples of Nicholas. He was guilty of this charge only in so far as familism could be construed as a general term for heresy. (See A. C. Thomas, *Family of Love* in *Haverford College Studies*, no. 12.)

alarmed, and Gorton had to go the way of the Brownes, of Williams, of Wheelwright, and of Mrs. Hutchinson. An excuse to be rid of him was soon found. Gorton and his family, upon coming to Plymouth, had hired part of the house of one Ralph Smith. This man, alleging that Gorton had become "troublesome and insolent", had him brought before authority, where he was ordered "to provide other ways for himself". Gorton, however, affirmed that his accuser's enmity was due to the fact that Mistress Smith preferred his family services to those of her husband. But he was soon to answer to a more serious charge.

A servant in the Gorton family, named Ellin Aldridge, was accused of "offensive speeches and carriages", and was threatened with being sent out of the colony as a vagabond. Gorton, believing that her only offense was smiling in congregation, spoke in her behalf, and defied the governor's order that she must depart from the jurisdiction. For this contumacy and upon the implied charge that by hiding the servant he had "deluded the court", he was bound over to the next General Court which was to meet December 4, 1638. He obtained sureties and appeared at the appointed time. It was not in Gorton's character to be overawed by authority, especially when he perceived an absence of justice or legal formalities in any proceeding. Scarcely had the prosecutor stated the case, when Gorton stretched out his hand and loudly cried, "If Satan will accuse the brethren let him come down from Jehoshuah's right hand and stand here"; and then turned toward the people and said, "Ye see, good people, how ye are abused; stand for your liberty, and let them not be parties and judges." True Englishman that he was, he made a decided objection to the principle which allowed his accuser to be likewise his judge. In conformity with the rest of the proceedings, it was moved that he should not speak in his own behalf at all, and as there was no attorney at hand, this meant that he was practically cut off from all means of defense. The trial soon came to an end, and he was to pay the penalty for his rashness. The Court fined him £20 and sentenced him to depart from Plymouth within fourteen days.<sup>1</sup> The time of his departure, says Gorton, "fell to be in a mighty storm of snow as I have seen in the country, my wife being turned out of door in the said storm with a young child sucking at her breast". Thus, at the hazard of his life, he left Plymouth and went to Portsmouth, where the government of the Antinomian exiles had been in existence for nearly a year.

<sup>1</sup>The authorities for the proceedings at Plymouth are in Winslow (and MS. draft in Deane's *Gorton*), Gorton's *Letter to Morton*, and *Plymouth Rec.*

As far as concerns this difference between Gorton and the Plymouth magistrates, "there was enough of wrong apparent on both sides to excuse in some measure the conduct of each, according as the sympathies of the writer might incline him to either party".<sup>1</sup> Although his heresies undoubtedly operated to his disfavor and increased the severity of his sentence, the plea of religious persecution should not bias us against the Plymouth Court. The chief cause of their action against him was his exasperating independence and his absolute contempt of their legal modes and forms, all of which combined to make his actions seem to them a breach of the civil peace.

Gorton arrived at Portsmouth in the winter of 1638-39.<sup>2</sup> In a previous chapter has been described the affairs in that infant settlement and the influence of Gorton in establishing a more democratic form of government, in which allegiance to the king was a controlling condition. As long as this government existed Gorton seems to have lived peacefully. But when a majority of the Portsmouth settlers joined with the Newport government, in March, 1640, he refused to enter into the agreement, thinking himself "as fit and able to govern himself and family as any that then was upon Rhode Island".<sup>3</sup> Soon after this, probably toward the very last of the year 1640, he became involved in a legal controversy that was to give him a good opportunity to display his utter contempt for Newport law, authority and magistrates in general. A servant maid of Gorton's had been brought before the court charged with assault upon an old woman and had been bound over to the Court of Trials. When the appointed time came she did not appear, Gorton answering the summons in her behalf. He had his friend John Wickes brought to the stand, and both proceeded to deny the authority of the Court and its right to existence. After much controversy, Governor Coddington summed up the case to the jury and committed Gorton to prison. Upon his resistance, the governor said, "All you that own the King, take away Gorton and carry him to prison." Whereupon Gorton cried out, "All you that own the King, take away Coddington and carry him to prison." Soon after this affair he was indicted by the grand jury on

<sup>1</sup>Arnold, 1, 166.

<sup>2</sup>Callender, Staples, and Arnold, relying solely upon the *R. I. Col. Rec.* 1, 91, infer that Gorton was admitted to Pocasset, June 20, 1638. But the *Plymouth Records*, 1, 105, the direct statement of Morton, the inherent evidence of Gorton's own statement (see Brayton, p. 41) and the absence of his name from early Portsmouth records, all go towards establishing the date accepted by his later biographers, that of December, 1638.

<sup>3</sup>*Letter to Morton*, p. 8.



fourteen separate counts, sentenced to be whipped, and banished from the island. If all these fourteen charges were true—and Gorton never denied them—he must have had something to say to nearly every one in the court-room. He termed the magistrates “just asses”, said that the deputy-governor was “an abettor of riot” and “unfit to make a warrant”, charged the judges with being corrupt and “wresting witnesses”, called a freeman “jack-an-apes”, and made sundry inapt remarks about one of the women witnesses.

But the real issue involved concerned the legal existence of any courts of government at all in the settlement. Gorton himself freely admits that this was the issue. In none of his writings does he go into the details of the trial, which, he says, “the actors may be ashamed of” and which he “has not forgotten”, but he clearly states his view of the general question. “I carried myself obedient to the government at Plymouth,” he says, “so far as it became me at the least . . . for I understood that they had Commission wherein authority was derived, which authority I revered; but Rhode Island at that time had none, therefore no authority legally derived to deal with me . . . But such fellows as you [Morton] can bring men to the whipping-post at their pleasure, either in person or name, without fault committed or they invested with any authority. Some of the men are living on Rhode Island still; tell them in print what I say and believe me not; my ancestors have not been so used, as the records in the Heraldry of England can testify. And I would have you know that I would rather suffer among some people than be a ruler together with them, according to their principles and manner of management of their authority.”<sup>1</sup>

The above is the sum and substance of Gorton’s whole argument against a government which he considered illegal and inoperative because not vested with royal authority. However acceptable the argument may be as an abstract principle, its establishment in practice would have proved a source of much confusion and disorder in some of our earliest New England colonies. These small settlements had necessarily to show some capacity for government and obtain obedience to their laws, before they could even think of applying for a royal patent. For the settlers of Aquedneck government was a necessity, and “the presence of that necessity was alike the authority and the limitation upon the authority, to establish and maintain a government”.<sup>2</sup> Gorton’s independent spirit and plainly-voiced contempt for

<sup>1</sup>*Letter to Morton*, p. 8.

<sup>2</sup>*Sheffield’s Gorton*, p. 38.

those in power probably offended the Aquedneck settlers more than his political principles. But in spite of his vehemence of expression, it should be remembered that he was always sincere in his views. There was no power on earth that could compel him to forego a cherished principle, and it was precisely this fearless and persistent attitude displayed by him and others a few years later, that saved Rhode Island from the continued attacks of neighboring colonies.

Accompanied by a few inhabitants who had become sharers of his views, Gorton departed from Aquedneck and went to Providence, where he arrived probably in the winter of 1640-41.<sup>1</sup> At first he gained many proselytes, but by March 8, 1641, we find Roger Williams writing despairingly to Winthrop: "Mr. Gorton, having foully abused high and low at Aquedneck, is now bewitching and madding poor Providence . . . some few and myself do withstand his inhabitation and town privileges." On May 25, after the application of the Gorton company to be received as townsmen had been once denied, William Arnold wrote a letter in which he attempted to prove that the newcomers were "not fit persons to be made members of such a body in so weak a state as our town is in at present". The epistle is filled with abuse of Gorton, yet contains strong arguments as to the danger of admitting such active characters.<sup>2</sup>

The condition of affairs was now becoming alarmingly serious. We have seen in a previous chapter how weak and precarious the Providence government really was. It will be remembered that at this juncture, in November, 1641, an attempt to enforce a decision of the court upon one of the Gorton party had ended in the spilling of blood, and that as a result several of the inhabitants had petitioned Massachusetts to lend a helping hand. Shortly after this Gorton and his followers removed to Pawtuxet,<sup>3</sup> where they built houses and labored to "raise up means to maintain their wives and little ones". But they were not destined to remain in peace very long. A dispute over land induced four of the Pawtuxet proprietors to submit themselves and

<sup>1</sup>Arnold (I, 172), through mistaking the date of Williams's letter to Winthrop, places his arrival at Providence a year too early. The letter is in Winslow, p. 55, also in Deane's *Gorton*, p. 31, Arnold and elsewhere.

<sup>2</sup>The letter is in Winslow, p. 59; Deane's *Gorton*, p. 31.

<sup>3</sup>Deane (*S. Gorton*, p. 13) quotes that Gorton purchased land at Pawtuxet in January, 1641-42. The statement in Winslow (Deane's *Gorton*, p. 35) is that Robert Cole, "a faverrit" of Gorton's, and John Greene gave him land at Papaquinepaug, where he and his companions built houses. (See also Brayton's *Gorton*, p. 73.) Gorton's sundry remarks about Cole would not imply that he was a favorite.



their property to the jurisdiction of Massachusetts.<sup>1</sup> That colony accepted the submission and immediately sent out a warrant to the people of Providence, warning them that all cases against the Pawtuxet men must now be tried in Massachusetts courts.<sup>2</sup> Gorton and his friends, alarmed at this unjust assumption of power, quickly addressed a lengthy and indignant protest to the rulers of the Bay. This remonstrance, which denied the claim of the larger colony to extend her jurisdiction beyond her chartered limits, was couched in no very gentle terms and was interlarded with theological invective. In spite of its religious mysticism, the position taken was stated clearly enough, as the following extracts will show:

“Whereas you say Robert Cole, William Arnold, with others, have put themselves under the government and protection of your jurisdiction, we wish your words were verified, that they were not elsewhere to be found, being nothing but the shame of religion, disquiet and disturbance of the places where they are; for we know, neither the one nor the other, with all their associates and confederates, have power to enlarge the bounds, by King Charles limited unto you. . . . In that you invite us into your Courts, to fetch your equal balanced justice upon this ground, that you are become one with our adversaries . . . now if we have our opponent to prefer this action against us, and not so only, but to be our counsel, our jury and our judge (for so it must be, if you are one with them, as you affirm), we know, beforehand, how our cause will be ended, and see the scale of your equal justice turned already, before we have laid our cause therein. . . . We will not be dealt with as before; we speak in the name of our God, we will not, for, if any shall disturb us as above, secret hypocrites shall become open tyrants, and their laws appear to be nothing but mere lusts, in the eyes of the world.”<sup>3</sup>

Smarting under the rebuke which this letter contained, and incensed at the frequent Scriptural invective, the magistrates and ministers of the Bay took counsel together and “perusing the writings, framed out of them twenty-six particulars, or thereabouts, which they said were blasphemous; changing of phrases, altering of words and sense; not, in any one of them taking the true intent of our writings”.

<sup>1</sup>Winslow says (Deane's *Gorton*, p. 35) that the dispute was brought about by the attempt of Gorton to buy “pawtuxet lands again over the heads of those men that had dwelt there three or four years before, who had bought the said lands of Socannanoco the true owner and sachim of pawtuxet lands”. But the facts seem to show a deeper motive in the submission. (See *ante* p. 35.)

<sup>2</sup>The warrant, dated Oct. 28, 1642, is in *Simp. Defence* (*R. I. H. S. Coll.* II, 53.)

<sup>3</sup>*Simp. Defence*. (*R. I. H. S. Coll.* II, 60-86.) The remonstrance is dated Nov. 20, 1642.

# SIMPLICITIES DEFENCE

## against SEVEN-HEADED POLICY.

A true complaint of a peaceable people, being  
part of the English in New England, made unto the State  
of Old England, against cruel persecutors

*United in Church-Government*  
in those parts.

Wherein is made manifest the manifold out-rages  
cruelties, oppressions, and taxation, by cruell and close im-  
prisonments, fire and sword, deprivation of goods, Lands, and live-  
lyhood, and such like barbarous inhumanities, exercised upon the  
people of Providence plantations in the Nanhyasset Bay by those of the  
Massachusetts, with the rest of the united Colonies, stretching themselves  
beyond the bounds of all their own justifications, perpetrated and added  
in such an unreason-able and barbarous manner, as many  
thereby, have lost their lives.

As it hath been faithfully declared to the Honourable  
Committee of Lords and Commons for Forraign Plantations,  
whereupon they gave present Order for Redress.

The sight and consideration whereof hath moved a great  
Country of the Indians and Natives in those parts, Princes and  
people to submit unto the Crown of England, and earnestly to sue to the  
State thereof for safeguard and shelter from like cruelties.

*Testimatur, Aug. 3<sup>d</sup>. 1646.* Diligently perused, approved, and  
Licensed to the Presse, according to Order by publick Authority.

LONDON,

Printed by John Macock, and are to be sold by George Whitting-  
ton at the blue Anchor neer the Royal Exchange in  
Cornhill. 1647.

TITLE PAGE OF GORTON'S "SIMPLICITIES DEFENCE."

FROM THE ORIGINAL IN THE LIBRARY OF THE RHODE ISLAND HISTORICAL SOCIETY.

Gorton and his friends, in the meanwhile, thinking it prudent to retire further from Massachusetts, had removed late in November to the vicinity of Shawomet. Here they decided to make their homes, and on January 12, 1643, purchased of Miantonomi a tract of land extending from Gaspee Point to Warwick Neck, and running inland twenty miles. The consideration paid was 144 fathoms of wampum, and the deed was signed by Miantonomi, Pumham, and other natives.<sup>1</sup> But the peace they desired was again denied them. The objects sought by Massachusetts, in accepting the jurisdiction of Pawtuxet, had not yet been attained—the “outlet into Narragansett Bay” was still obstructed, and “the rest in those parts” had not been “drawn in”. Since the Gortonists, however, were now beyond their claimed territory, some new pretext for molestation was rendered necessary. A plan was soon devised which would give Massachusetts a semblance of control over the Shawomet lands, and would also be of great benefit to her henchmen at Pawtuxet. Early in 1643 Pumham and Sacanonoco, called by Winthrop “two sachems near Providence”, went to Boston, and through Benedict Arnold, their interpreter, asked to be taken under the jurisdiction of Massachusetts, alleging that one of them had been forced by Miantonomi to sign the deed of Shawomet.<sup>2</sup> In May the Boston magistrates appointed a committee to “treat with Pumham and Socononoco about their submission to us, and to conclude with them and to receive them under our jurisdiction, if they see cause, and to warn any to desist which shall disturb them”. Accordingly, in June, these two Indians, styling themselves sachems of Shawomet and Pawtuxet, went to Boston with one of the Arnolds, and submitted themselves and their lands to the jurisdiction of Massachusetts.<sup>3</sup> The motive in all these proceedings is apparent. If Massachu-

<sup>1</sup>*R. I. Col. Rec.* i, 130. The grantees in this deed were Randall Holden, John Greene, John Wickes, Frances Weston, Samuel Gorton, Richard Waterman, John Warner, Richard Carder, Samuel Shotten, Robert Potter, and William Wodell. Nicholas Power, although not named in the deed, was undoubtedly one of the original purchasers (see *R. I. H. S. Coll.* ii, 86). For a discussion as to the correctness of “Shawomet, 1642,” in the seal of the R. I. Historical Society, see *R. I. H. S. Proc.* 1887-88, p. 40; also *Book Notes*, v, 69.

<sup>2</sup>Winthrop, ii, 120.

<sup>3</sup>*Mass. Col. Rec.* ii, 38-40. The attitude of Massachusetts in this whole matter is painfully apparent. Winthrop enters quite fully into the negotiations which preceded the submission, and incidentally shows that the examination of Miantonomi, who came to Boston to answer Pumham’s charge, was little more than a farce. The testimony of contemporary writers proves conclusively that both these sachems were inferior to Miantonomi. (See *R. I. H. S. Coll.* ii, 94; and Brayton’s *Gorton*, p. 99.) Winthrop remarked that the submission was the “fruit of our prayers”, and that “the Lord was by this

setts could obtain some color of a claim to Shawomet country, she could then satisfy her territorial ambitions, and take revenge on Gorton for his reviling and "blasphemous" letter. The Arnolds, whose action in these proceedings does not place their character in altogether the best light, would reap a rich reward in having the titles to certain lands they had bought of Pumham effectually established.

Massachusetts was now in a position to take summary action. In September they sent a warrant to the settlers at Shawomet, desiring them to come to Boston to answer certain charges made by Pumham and Sacanonoco. The Gortonists orally replied that they were beyond the Bay jurisdiction and would not "acknowledge subjection unto any in the place where they were, but the government of Old England". They also wrote a letter, directed to the "great and honored Idol General, now set up in Massachusetts", in which they more fully and less gently stated their position. Pumham they condemned as a fawning, lying, thieving Indian, who was henceforth debarred from living on their lands. They asserted that the natives themselves had never complained of unjust dealings, and that they had "better employments than to trot to the Massachusetts upon the report of a lying Indian". They were resolved that Massachusetts must take the initiative: "If you put forth your hands to us as countrymen, ours are in readiness for you—if you exercise your pen, accordingly do we become a ready writer—if your sword be drawn, ours is girt upon our thigh." They conclude by asking the Boston magistrates to seek redress in Shawomet courts, where they might receive a "fairer hearing than ever we had amongst you, or can ever expect."<sup>1</sup>

The General Court which met at Boston in September considered this letter and the oral reply, and appointed three commissioners to take a squad of forty men and "bring Samuel Gorton and his company, if they do not give them satisfaction". They also dispatched a letter to Gorton informing him of their action. The Shawomet men, alarmed at these warlike preparations, immediately wrote to intercept the commissioners, to the effect that if they came in a hostile way, they

means making a way to bring them to the knowledge of the gospel". Savage, in commenting on this passage, says, "It may be feared that there was too much human policy at work in obtaining their subjection, and we must acknowledge that a territorial usurpation beyond the limits of our charter was the result, if not the motive, of the negotiation."

<sup>1</sup>The warrant, dated Sept. 12, 1643, and the oral reply are in *Simp. Defence* (R. I. H. S. Coll. II, 96). The above letter, dated Sept. 15, and signed by Randall Holden is in *Idem*, p. 262. The examination of this letter and the previous one of Gorton's form the chief substance of Winslow's *Hypocrisy Unmasked*.

came at their peril.<sup>1</sup> To this the commissioners replied that if they could not persuade them to repent of their evil ways, they should "look upon them as men prepared for slaughter". The troops then began an advance upon the little settlement, where Gorton and his friends had fortified themselves in one of the houses. After much parleying, in which some men from Providence acted as mediators, it was finally agreed that hostilities should be suspended until a reply should be received from Massachusetts as to whether neutral arbitration were agreeable. During this truce Gorton says that the soldiers killed cattle, broke into the dwellings and assaulted some of the inhabitants.

Unbeknown to Gorton, some men of Providence had written to Massachusetts, urging arbitration and hoping that the fair propositions offered would prevent blood-spilling. Winthrop's harsh reply clearly reveals for the first time the true motive for Massachusetts's persecution: "Take notice, that besides the title of land, between the Indians and the English there, there are twelve of the English that have subscribed their names to horrible and detestable blasphemies against God, and all magistracy, who are rather to be judged as blasphemers." The letter of the commissioners was answered in the same tone, showing that the magistrates had resolved upon a course which no appeal to humanity or justice could change.<sup>2</sup>

All hope of arbitration was now at end. The soldiers cut short the truce, warned all neutrals to keep away, and threw up entrenchments. The Shawomet men hung out the Old English flag, which their assailants immediately riddled with shot. The siege lasted for several days, but such a firm show of resistance did the Gortonists make, that the commissioners were compelled to send to the Bay for reinforcements. The besieged had now to yield, or suffer a fearful slaughter; so, after a short parley, they agreed to accompany the troops to Boston. As soon as they had gained possession of their opponents' firearms, the soldiers pillaged their houses, seized upon their cattle, and carried them as prisoners to Boston, leaving their wives and children to subsist as best they could.

When they arrived at Boston the Gortonists were placed in the common jail to await trial. On the following Sabbath they went, under compulsion, to attend the morning service, at the end of which

<sup>1</sup>The action of the Court is in *Mass. Col. Rec.* ii, 41-44; the letter to Shawomet, dated Sept. 19, their letter to the Commissioners dated Sept. 28, and the latter's reply are in *R. I. H. S. Coll.* ii, 95-102.

<sup>2</sup>For these three letters, see *R. I. H. S. Coll.* ii, 105-111, and Winthrop, ii, 139.

Cotton and Gorton indulged in a theological controversy over several rather misty points of doctrine. When the Court met on October 17, 1643, Gorton and his companions were brought forth for examination. To their objections that they were not within the Bay jurisdiction, it was answered: "1. That they were either within Plymouth or Mr. Fenwick, and they had yielded their power to us in this cause. 2. If they were under no jurisdiction, that had we none to complain unto for redress of our injuries".<sup>1</sup> This minor point having been disposed of, the Court proceeded to consider the real cause of the trial. The odious letters were brought forth and read, and it was demanded of the prisoners whether they would defend the expressions therein written. Upon their affirming that they would maintain them in the sense in which they wrote them, they were brought severally before the Court to be examined. Since they insisted upon their own interpretation of the questioned passages, which would puzzle the brain of even a past-master of doctrinal theology, Winthrop exclaimed that they excelled the Jesuits in the art of equivocation; yet, he admits, they "would seem sometimes to consent with us in the truth".

After this profitless examination the Court consulted about their sentence. The elders thought that if they maintained the opinions as expressed in their writings, "their offense deserved death by the law of God". It was finally decided that the charge against them should be as follows: "Upon much examination and serious consideration of your writings, with your answers about them, we do charge you to be a blasphemous enemy to the true religion of our Lord Jesus Christ and his holy ordinances, and also of all civil authority among the people of God, and particularly in this jurisdiction." This having been agreed upon, the Court adjourned and the prisoners were committed to await sentence.

The rest of this story of perversion of justice and tyrannical abuse of power is best told in the simple record of their persecutors:

"After divers means had been used in public and private to reclaim them, and all proving fruitless, the court proceeded to consider of their sentence, in which the court was much divided. All the magistrates, save three, were of opinion that Gorton ought to die, but the greatest number of deputies dissenting, that vote did not pass. In the end all agreed upon this sentence, for seven of them, viz., that they should be dispersed into seven several towns, and there kept to work for their

<sup>1</sup>Winthrop, II, 143. It should be noticed that Plymouth had previously disclaimed jurisdiction beyond the Narragansett River, and that the Connecticut claim had never been dreamed of. As for the second answer, it can scarcely be considered as an argument.



living, and wear irons upon one leg, and not to depart the limits of the town, nor by word or writing maintain any of their blasphemous or wicked errors upon pain of death, only with exception for speech with any of the elders, or any other licensed by any magistrate to confer with them; this censure to continue during the pleasure of the court.'"<sup>1</sup>

If only the pages of Winthrop remained, and the personal account of their sufferings had never been written, we could even then render a full measure of justice to the persecuted, and record in history one of the darkest blots on Massachusetts's escutcheon. To quote from the Massachusetts historian, Savage, "Silence might perhaps become the commentator on this lamentable delusion; for this narrative almost defies the power of comment to enhance or mitigate the injustice of our government.""<sup>2</sup>

The terms of the sentence were carried out to the letter. By an order of November 3, 1643, Gorton and six others were confined in different towns around Boston, where they were subjected to servile labor throughout the whole winter. About a week after the sentence the magistrates sent men to Shawomet to get the remainder of the cattle, which were appraised and sold to defray the expenses of the seizure and trial. But this unjust condition of affairs could not last long. Gorton says that as the people came to be informed of the truth of the proceedings, they were much dissatisfied with what had been done. The magistrates found that the prisoners "did corrupt some of our people by their heresies", and wisely decided that public opinion was safer with the heretics out of the way. So the Court, at its session of March 7, 1644, set the prisoners at liberty, but decreed that if within fourteen days they should be found in the Massachusetts jurisdiction, they should suffer death. This jurisdiction they described as including the lands in or near Providence, as well as the lands of Pumham and Sacanonoco.<sup>3</sup>

The prisoners soon had their bolts filed off, and were at liberty. But whither could they go? There was no English settlement, in the region where their wives and children were scattered, where they could

<sup>1</sup>Winthrop, ii, 146.

<sup>2</sup>Savage's ed. of Winthrop, ii, 177. The foregoing account of the trial has been wholly drawn from Winthrop ii, 142-147, and from the records of the Court in *Mass. Col. Rec.* ii, 51. Although it has not been necessary to use Gorton's account of the trial as given in his *Simplicities Defence*, it is noticeable that this account harmonizes perfectly with Winthrop.

<sup>3</sup>*Mass. Col. Rec.* ii, 57. Winthrop (ii, 156) says: "This censure was thought too light and favorable, but we knew not how in justice we could inflict any punishment upon them, the sentence of the court being already passed."

live in safety but the Island of Aquedneck. While Gorton and some of the others were waiting at Boston for their companions to join them, they received an order from Governor Winthrop to leave the town within two hours. They immediately departed for Aquedneck, stopping at Shawomet in their houses for the night. From here they wrote a letter to Massachusetts, inquiring whether their lands which they had purchased from the Indians were included within the Bay jurisdiction. Certain passages in this letter indicate that their spirit was still unconquered and that their sense of the injustice done them was only sharpened by their sufferings. "If you should so far forget yourself," they write, "as to intend thereby our land lawfully bought . . . we resolve upon your answer, with all expedition, to wage law with you, and try to the uttermost, what right or interest you can show to lay claim, either to our lands or our lives".<sup>1</sup>

To this missive the governor replied that the Massachusetts jurisdiction did include the Shawomet lands and that they must leave there upon peril of their lives. Unable to cope with the superior force of the Bay, the Gortonists withdrew to Aquedneck, where they rejoined their families, hired houses, and set about their spring planting. It is a great credit to the people of Aquedneck that they could so far dispel any resentment of Gorton's previous conduct in their settlement as now to welcome and shelter him, and even, as Winslow declares, elect him to office. It was but natural, however, that the few who still leaned towards Massachusetts should object to his inhabitation. Gorton asserts that Winthrop wrote a private letter to a certain person on the Island, telling him, "that if he and others could work the people of the Island to deliver us up into their hands again (at least some of us) it would not only be acceptable unto the Court, then sitting, but unto most of the people in general". On August 5, 1644, we find Coddington writing to Winthrop: "Gorton, as he came to be of the Island before I knew of it, and is here against my mind, so shall he not be by me protected. . . . Here is a party which do adhere unto Gorton and his company in both the plantations, and judge them so much strength to the place, which be neither friends to you nor us".<sup>2</sup> Fortunately Coddington's prejudiced antipathy could not per-

<sup>1</sup>R. I. H. S. Coll. II, 151.

<sup>2</sup>Letter in Mass MS. archives (see *Newport Hist. Mag.* III, 1; and also a copy in *Extracts from Mass. MSS.* I, 31, in R. I. Hist. Soc. Library). Coddington again writes, Nov. 11, 1646: "Gorton and his company, they are to me as ever they have been, their freedom of the Island is denied, and was when I accepted of the place I now bear." (Deane's *Gorton*, p. 41.)



suade the popular will to work further harm upon this much buffeted man.

The scene of the narrative was now to be changed to England. As Gorton had threatened at the time of his trial, an appeal to the king at least remained to him after other resources had failed. Before his departure he brought about an event which, besides greatly strengthening his cause at court, has done more to render his name revered in Rhode Island than any other one effort of his life. It seems that the Narragansett Indians, upon finding that the Gortonists had returned alive and unharmed, had imagined that the English at Boston released the "Gortonoges" through fear of a mightier power in Old England. They conceived that England was inhabited by two great races, the English and the Gortonoges, of whom the latter were the stronger. Taking advantage of this impression, Gorton with five or six others, visited Canonicus and on April 19, 1644, brought about a complete cession of all the Narragansett lands and people to the English king. This instrument, which is signed by all the chief sachems, declares that having "just cause of jealousy and suspicion of some of His Majesty's pretended subjects, our desire is to have our matters and causes heard and tried according to his just and equal laws. . . . Nor can we yield ourselves unto any, that are subjects themselves". It further deposes four of "our trusty and well-beloved friends"—Gorton, Wickes, Holden and Warner—to convey the submission to England.

This act, considered in the light of subsequent events, was of the most vital importance to Rhode Island. Had it not been accomplished, the vast Narragansett territory would have inevitably fallen into the hands of Massachusetts, and Rhode Island, limited to three small, isolated settlements scattered along the water front, could never have withstood the attacks of her aggressive neighbors. Deprived of the body and backbone, the extremities would surely have been split up and parceled out among the adjacent colonies. Whether Gorton realized the significance of what was done is doubtful. It is certain that, in order to make the submission appear as voluntary as possible, he was compelled to subordinate his own part in the transactions. But it is not too much to say that this cession, together with the obtaining of the Patent of 1644 and the Charter of 1663, was one of three events in our early history that insured Rhode Island's existence.

In the winter of 1644-45 Gorton, Holden and Greene, armed with the Act of Submission and resolved to win back their homes, set sail for England. The first year of his stay Gorton spent in writing his *Simplicities Defence*, which he finished in January, 1646. Then he

and his companions presented to the Committee on Foreign Plantations a memorial setting forth their grievances. The Commissioners, of whom Sir Henry Vane, ever a friend to Rhode Island colonists, was one, soon issued an order requiring Massachusetts to permit the petitioners to live without interruption at Shawomet until the matter could be settled with a full hearing. "We found," states the order, "that the petitioner's aim and desire was not so much a reparation for the past, as a settling their habitation for the future." In September, Holden and Greene returned with this order, which the Bay received with much ill grace, scarcely allowing the bearers to pass through their jurisdiction. They immediately commissioned Edward Winslow to go to England as their agent, and also sent a written answer to Gorton's petition. Upon Winslow's arrival the Commissioners returned an explanatory letter to Massachusetts and appointed a day for both claimants to appear before them. Winslow, in the meanwhile, had hurried into print his *Hypocrisie Unmasked*, in the dedication of which he made five requests—that the censure of Massachusetts might be strengthened, that Gorton might not be suffered to return to New England, that Shawomet might be included in the Plymouth Patent, that appeals from New England courts should be disregarded, and that he himself should be "patronized in his just defense". On May 25, 1647, the Commissioners made their final answer. They utterly ignored every one of Winslow's five requests and ordered that the Gortonists should be allowed a peaceable inhabitation of their Shawomet lands, until it should be proved that the tract in question was within any New England Patent.<sup>1</sup>

Having accomplished the object of his visit, Gorton returned to America in 1648, being compelled to show a letter from the Earl of Warwick before he was allowed to pass through Massachusetts. He immediately rejoined his companions at Shawomet, which was renamed Warwick in honor of the chief of the Parliamentary Commission. Thither had the persecuted families, in spite of the notices, warrants and intimidations of the Bay Colony, returned soon after the receipt of the first order from England.<sup>2</sup> Although the express command of the English authorities that they should not be molested did not release

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them from all annoyances from the Bay, they could now feel free to unite with their sister settlements in a chartered government, and bear the common burden of overcoming aggression from without and dissension from within.

In view of the somewhat unsettled existence of the first planters of Shawomet, it is difficult to determine exactly what kind of a political framework they would have erected had they been undisturbed. None of their records before 1647 are preserved, and possibly none were kept. The most that we can learn is from the pen of Gorton, who writes in 1643: "In the mean time [until the arrival of an English Charter] we lived peaceably together, desiring and endeavoring to do wrong to no man, neither English nor Indian, ending all our differences in a neighborly and loving way of arbitrators, mutually chosen amongst us." Although some of their letters to Massachusetts are signed by the "Secretary of the Government of Shawomet", it is probable that this tiny settlement of less than a dozen families required no definite political organization beyond the "peculiar fellowship" which one of their number alluded to as existing.<sup>1</sup> To this absence of necessity for government was added their dislike of magistracy until the same should be officially recognized from England. Some of their acts are recorded before the incorporation of Providence Plantations on May 19, 1649;<sup>2</sup> but it was not until this colony organization was accomplished that the Warwick men consented to institute a real town government. They then received their town charter, signed their fundamental agreement and elected town officers. The colony patent quieted their misgivings as to the lack of English allegiance, and thereafter no town showed a greater attachment to "law and order" than Warwick.

<sup>1</sup>See *R. I. H. S. Coll.* II, 96, 151, 165, 269.

<sup>2</sup>Peter Greene was received an inhabitant of the Town of Warwick on May 1, 1467, (MS. Warwick Records).

## CHAPTER VI.

### THE OBTAINING OF THE FIRST CHARTER, 1639-47.

We have witnessed the small beginnings of the earliest Rhode Island towns. We have seen how the forces of internal dissension and external aggression gradually forced upon them the necessity of having a more powerful source of authority than their own self-appointed assemblies. Scorned and threatened by the adjacent colonies, they came to realize that if they wished to become the political equals of their neighbors, they must seek for some evidences of favor from the Government of England—the well-spring of authority throughout all New England. More than the desire to secure the enjoyment of religious liberty, more than the hope of obtaining a unification of the different communities—for some at Newport hoped for the exclusion of Providence, and the admission of Warwick was not even dreamed of—more than either of these two causes, the necessity of gaining royal recognition to ward off the attacks of their enemies was the weightiest reason in inducing the Rhode Islanders to take active steps in the question of a patent. They knew that their government was little better than a “squatter’s sovereignty”; they could not deny the contemptuous remarks of Lechford, Winthrop and Gorton as to their lack of a legally constituted magistracy. It was now time to act.

The first official action in this matter of a patent was taken at Newport. On November 25, 1639, the Newport Court commissioned Easton and Clarke to “inform Mr. Vane by writing of the state of things here, and desired him to treat about the obtaining a patent of the Island from his Majestie”. Since this order apparently availed nothing, on September 19, 1642, a new committee of the ten principal men of the Island was appointed. They were to “consult about the procuration of a patent for this Island and Islands, and the land adjacent; and to draw up petitions; and to send letters for the same end to Sir Henry Vane”.<sup>1</sup> This second committee accomplished but little, and the law makers must have come to the conclusion that letters and

<sup>1</sup>*R. I. Col. Rec.* i, 94, 125.



petitions should be abandoned for a personal application at the English Court. An event was soon to transpire that was to hasten their judgment in the matter.

In 1640 the Aquedneck colony had united with those at Hartford and New Haven in a letter to the Bay urging a mutual consideration of all Indian affairs. The Massachusetts Court ordered that favorable answers should be sent to all but those at Aquedneck, who were "men not to be capitulated withal by us as their case standeth".<sup>1</sup> After this "exalted triumph of bigotry"—as the learned editor of Winthrop has termed it—the matter was allowed to remain in abeyance for a few months. At last the pressing danger from the Indians brought the matter into consideration again and on May 19, 1643, the colonies of Massachusetts, Plymouth, Connecticut and New Haven entered into a confederation known as the United Colonies of New England. Rhode Island, as might be expected, was excluded from the league. One has only to read the previous order of 1640 and also notice the stated reason for the alliance, "that as in nation and religion, as in other respects we may be and continue one", to find an explanation of the true reason for her exclusion.<sup>2</sup> Aroused to action by this scornful insult, the Rhode Island settlements took immediate steps about obtaining a patent from the King. To this end, Roger Williams, without a doubt the ablest man in the colony for the purpose, embarked from New York in the spring of 1643 for England.<sup>3</sup> He arrived to find the mother country in the throes of civil war. The King, though still surrounded by a considerable body of followers, was a fugitive, and the government of the kingdom was administered by Parliament, standing for civil liberty and the displacement of prelacy. Most opportune it was for Rhode Island that the party in power favored the very principles of toleration that Williams himself held. He soon applied to the recently constituted committee on Foreign Plantations, and on March 14, 1644, received a "Free Charter of Civil Incorporation and Government for the Providence Plantations, in the Narragansett Bay, in New England".<sup>4</sup>

<sup>1</sup>See *R. I. Col. Rec.* i, 110; Winthrop, ii, 21; and *Mass. Col. Rec.* i, 305.

<sup>2</sup>The articles of confederation are in Hazard, *State Papers*, ii, 1, Winthrop ii, 101 and elsewhere. Judge Stiness enters quite fully into the subject of R. I.'s exclusion in his *Prov. Co. Court House address*, p. 19.

<sup>3</sup>See Winthrop ii, 97, *Narr. Club. Publ.* i, 10, 23, 218; vi, 272.

<sup>4</sup>The Charter is in *R. I. Col. Rec.* i, 143. For discussion as to its date, see Arnold, i, 114. It is signed by Warwick, the head of the Commission, and by ten others, among them Sir Henry Vane.

That Roger Williams was able to obtain the free and absolute charter he did was due chiefly to the influence which he had in the most powerful quarters of the kingdom. It was not a mere land patent, nor a trading charter like that of Massachusetts. It was a real, effective governmental charter, bestowing upon the grantees the power to rule within the assigned limits by whatever form of government they saw fit, and the right to make whatever laws they desired. The only proviso, that the said laws should be "conformable to the laws of England", was practically annulled by the clause "so far as the nature and constitution of the place will admit". A distinguishing feature of the charter was the limiting of its operation to civil things only. There was no express provision concerning liberty of conscience, for that, as Williams claimed, was a natural, and not a grantable right.<sup>1</sup> The mere limitation to political concerns was the first example of the kind in the New World and was then considered the chief principle of the Charter.

Another distinguishing characteristic of this Charter was the smallness of the territory granted. In most of the early American patents, the land stretched indefinitely out into the west. Roger Williams, however, was too conscientious to take more than he thought belonged to him, as the following quotation from one of his letters will show:

"The bounds of this our first charter, I (having ocular knowledge of persons, places and transactions) did honestly and conscientiously, as in the holy presence of God, draw up from Pawcatuck river, which I then believed, and still do, is free from all English claims and conquests; for although there were some Pequods on this side the river, who, by reason of some Sachems' marriages with some on this side, lived in a kind of neutrality with both sides, yet, upon the breaking out of war, they relinquished their land to the possession of their enemies, the Narragansetts and Niantics, and their land never came into the condition of the lands on the other side, which the English, by conquest, challenged; so that I must still affirm, as in God's holy presence, I tenderly waived to touch a foot of land in which I knew the Pequot wars were maintained and were properly Pequod, being a gallant country; and from the Pawcatuck river hitherward, being but a patch of ground, full of troublesome inhabitants, I did, as I judged, draw our poor and inconsiderable line".<sup>2</sup>

<sup>1</sup>Judge Staples says "to accept a grant of religious liberty from any human power, would be a virtual recognition of the right to grant, which, of course, implies a right to refuse". (*Code of 1647*, p. 10.) In 1658, the General Assembly asserted that "freedom of different consciences to be protected from inforcements, was the principal ground of our Charter both with respect to our humble suit for it, as also to the true intent of Parliament in granting the same." (*R. I. Col. Rec.* 1, 378.)

<sup>2</sup>*Narr. Club. Pub.* vi, 340.



Although the chief purpose of Williams in coming to England was to obtain a civil charter, he found time to take considerable part in the controversies of the period, and to do much creditable literary work for his own satisfaction. His *Key to the Indian Language*, composed during his passage across the Atlantic, was soon followed by *Mr. Cotton's Letter, Lately Printed, Examined and Answered*, in which for the first time he brought out in the public print his ideas upon religious liberty. He next attacked the designs of the Presbyterian divines, who were seeking to establish an intolerant national church, in his *Bloudy Tenent of Persecution for Cause of Conscience discussed in a Conference between Truth and Peace*. This controversial treatise, which passed through two editions, was the last published during his stay in England. But he continued to make the influence of his pen felt even after his departure, by leaving behind him two manuscripts which were printed in 1645. In one of these, *Christenings make not Christians*, he shows the difficulty of converting the Indians, and in the other, *Queries of Highest Consideration*, he disclaims against the union of church and state and demonstrates the impracticability of enforcing a national religion.<sup>1</sup> These various treatises of Roger Williams, while they must have had some influence in shaping public opinion on these questions, were too far in advance of the age to have any lasting effect. The narrow spirit of the time shuddered at the thought of even partial toleration, and as for the complete sufferance of all religions, that was considered rather as a heresy and a dream.

Soon after he had accomplished the object of his mission, Williams set sail for Boston, where he arrived September 17, 1644. He brought with him a letter, signed by several of the highest personages in England and addressed to the Colony of Massachusetts Bay. The signers expressed their regret that, among such good men as the Bay settlers and Roger Williams, "who mutually give good testimony each of the other, there should be such a distance"; and professed their desire that there should be a more "ready expressing of those good affections, which we perceive you bear each to the other, in the actual performance of all friendly offices".<sup>2</sup> Although the Bay rulers had no intention of relaxing in their policy toward Williams and his followers, they

<sup>1</sup>The best accounts of these different treatises may be found in the various introductions in the *Narr. Club. Publications* and in the preface of *R. I. Hist. Tracts*, vol. 14.

<sup>2</sup>Winthrop II, 193, and Hubbard (2 *Mass. Hist. Coll.* vi, 349.) This protecting letter includes among its signers Sir William Masham, whose chaplain Williams had previously been in England, and Sir Thomas Barrington, the first cousin of the lady to whom Williams had formerly plighted his troth.

allowed him to pass through their domain unmolested. He immediately made his way to the Seekonk, where he was met by his friends in fourteen canoes, and carried in triumph to Providence.<sup>1</sup> In a little more than a year he had made a long ocean voyage, procured the much longed for charter of incorporation, and inserted in the same his own ideas about the separation of the church and state. In the language of the instrument itself, it was truly a hopeful beginning, "which may in time, by the blessing of God upon their endeavors, lay a surer foundation of happiness to all America".

While Williams was absent in England, events were taking place in the colonies tending to weaken what little unification the settlements around Narragansett Bay possessed. In July, 1643, a war broke out between Uncas, sachem of the Mohegans, and Sequasson, another Connecticut sachem, who was a relative and ally of Miantonomo. The Narragansett sachem immediately complained of Uncas to the governors of Connecticut and Massachusetts, desiring to know whether they would be offended if he took part in the feud himself. Governor Haynes replied that "the English had no hand in it", and Governor Winthrop that "if Uncas had done him or his friends wrong and would not give satisfaction, we should leave him to take his own course". Having ascertained the feelings of the English, Miantonomo marched upon Uncas, but was defeated, and through the treachery of his captains, captured. When the news of this came to Providence, Gorton wrote a letter to Uncas interceding in the captive's behalf, upon the receipt of which Uncas placed the prisoner in charge of the English at Hartford. The case now came before the commissioners of the United Colonies, met at Boston in September. This body, after they had upon serious consideration come to the conclusion that they had "no sufficient ground to put him to death", called in "five of the most judicious elders" for advice. These five ministers of the gospel, who should have represented all that was Christian and charitable in the colony, unanimously advised that Miantonomo's life should be taken away. Unwilling to execute the sentence, the commissioners decreed that Uncas should be his captive's executioner. The deed was carried out in the same heartless spirit that the sentence was passed. A party of Indians and English led forth the prisoner from Hartford, and on the road the brother of Uncas suddenly approached Miantonomo from behind and split open his head with a hatchet.

The attitude of the Puritan magistrates in this atrocious murder is

<sup>1</sup>Richard Scott's letter in Fox and Burnyeat, *N. E. Firebrand Quenched*, 11, 247.

almost too painful to discuss. It was all a matter of policy. Although they had previously asserted their neutrality in the feud, they could not let pass such an excellent opportunity of putting out of the way a savage who might possibly become a strong opponent to their claims for territory. The remarks upon the subject made by Governor Hopkins, written nearly a century and a half ago, are so heartfelt and so truly significant that they are here quoted: "This was the end of Miantonomo, the most potent Indian prince the people of New England had ever had any concern with; and this was the reward he received for assisting them seven years before, in their war with the Pequots. Surely a Rhode Island man may be permitted to mourn his unhappy fate, and drop a tear upon the ashes of Miantonomo, who, with his uncle Conanicus, were the best friends and greatest benefactors the colony ever had. They kindly received, fed, and protected the first settlers of it, when they were in distress, and were strangers and exiles, and all mankind else were their enemies; and by this kindness to them, drew upon themselves the resentment of the neighboring colonies, and hastened the untimely end of the young king".<sup>1</sup>

While these forces outside of Rhode Island were thus striving during Williams's absence to prevent the maintenance of her territory, there was a more subtle influence within the colony working towards its dismemberment. At Newport we can perceive thus early the machinations of a certain faction which desired alliance with Massachusetts or Plymouth, rather than colonial independence in conjunction with their more liberal but less prosperous neighbors at the head of the bay. It was William Coddington who was the instigator and prime mover of these schemes, and as early as August 5, 1644, we find him writing to Governor Winthrop: "Now the truth is, I desire to have such alliance with yourselves or Plymouth, one or both, as might be safe for us all, I having these in trust in the Island, it being bought to me and my friends; and how convenient it might be if it were possessed by an enemy, lying in the heart of the plantations and convenient for shipping, I cannot but see; but I want both counsel and strength to effect what I desire. I desire to hear from you, and that you would bury what I write in deep silence, for what I write I never hinted to any, nor would I to you, had I the least doubt of your faithfulness that it should be uttered to my prejudice".<sup>2</sup>

<sup>1</sup>*R. I. H. S. Coll.* vii, 64. The chief authorities for the proceedings against Miantonomo are Winthrop, ii, 131; Winslow, *Hypoc. Unmasked*, p. 72; Trumbull *Hist. of Conn.* i, 130; Records of the Commissioners in *Plymouth Rec.* ix, 10; and *3 Mass. H. S. Coll.* iii, 161.

<sup>2</sup>*Newport Hist. Mag.* iii, 3, and copy in *Extracts from Mass. MSS.* i, 31, in R. I. H. S. Library.

At this early date this covert scheme intended perhaps nothing more than a friendly alliance with Massachusetts and Plymouth, but it was the germ of a project which later sought the entire exclusion of Providence from such a league. Had it succeeded, the northern town, thus isolated, would have soon been swallowed up by her watchful neighbors.

Upon Williams's return with the Charter in September, 1644, affairs did not assume a much brighter appearance. The knowledge that such an instrument had actually been obtained only inspired the neighboring colonies to make fresh attempts in exercising their jurisdiction in those parts. In November, 1644, Plymouth sent a commissioner to Aquedneck to warn them that "a great part of their supposed government is within the line of the government of Plymouth". He was instructed to forbid them "to exercise any authority, or power of government within the limits of our letters patent", which territory was said to include also Coweset.<sup>1</sup> It is needless to say that this somewhat presumptuous message, so contrary to the express admission of non-jurisdiction nearly seven years before, received but little attention.

The efforts of the Massachusetts colony met with but little better success. In August, 1645, the Rhode Island colonists assembled at Newport to take action upon a letter recently received from the Bay desiring them to "forbear the exercise of Government". They formulated and returned a dignified and forceful reply, which, since it has historical importance and has been hitherto usually unnoticed, is here printed entire:

"Our much honored friends and countrymen,  
Our due respects and love promised.

"Having lately received a writing from the right worshipful your counsell deeply concerning yourselves and us, we pray your favorable attention to our answer.

"First a civil government we honor, and earnestly desire to live in, for all those good ends which are attainable thereby, both of public and private nature.

"This desire caused us humbly to sue for a Charter from our mother state. Not that formerly or now we approve and honor not your civil state and government, but as we believe your consciences are persuaded to govern our souls as well as our bodies, yourselves will say

<sup>1</sup>Winslow, *Hypoc. Unmasked*, p. 83, where the full instructions are given. Gorton says that John Browne, the Plymouth commissioner, "went from house to house, both in Portsmouth and Newport, discouraging the people for yielding any obedience unto the authority of the Charter." (*R. I. H. S. Coll.* II, 168.)

we have cause to endeavor to preserve our souls and liberties, which your consciences must necessarily deprive us of, and either cause great distractions and molestations to yourselves and us at home, or cause our further removals and miseries.

“Thirdly, we cannot but wonder that being now found in the posture of government from the same authority, unto which you and we equally subject, you should desire us to forbear the exercise of such a government without an expression from that authority directed to us.

“And we the rather wonder because our Charter, as it was first granted, and first established, so was it also expressly signified unto you all, in a letter from divers lords and commons (at the coming over of our charter) out of a loving respect both to yourselves and us.

“Besides you may please to be informed that his Excellency the Lord Admiral hath lately divers times been pleased to own us under the notion of Providence Plantations. And that he hath signified unto us (which we can show you in writing) the desires of Plymouth to infringe our Charter, but his own favorable resolution not only to maintain our Charter to his utmost power, but also to gratify us with any other favor, etc.

“In all which respects we see not how we may yield ourselves delinquents and liable to answer in your country, as your writing to us seems to import, why we cast not away such noble favor and grace unto us.

“It is true that divers amongst us express their desires of composing this controversy between yourselves and us, but considering that we have not only received a challenge from yourselves but also from Mr. Fenwick, and also from Plymouth, and also from some in the name of the Lord Marcus Hamilton (of all such claims we never heard until the arrival of our Charter) we judge it necessary to employ our messengers and agents unto the head and fountain of all these streams and there humbly to prostrate ourselves and cause for a small sentence and determination.

“And this we are immediately preparing to do without any secret reservations or delays, not doubting but yourselves will rest satisfied with this our course, and in the interim although you have not been pleased to admit us into considerations of what concern the whole country, as you have done others of our countrymen, yet we cannot but humbly profess our readiness to attend all such friendly and neighborly courses, and ever rest

“Yours assured in all services of love,

“The Colony of Providence Plantations, assembled at  
Newport 9th:6 Mo. 1645.

“Henry Walton, Sec’t.”<sup>1</sup>

<sup>1</sup>Mass MS. Archives, II, 6, and copied in *Extracts from Mass. MSS.* I. 38, in R. I. H. S. Library. It has been printed, however, as a footnote to Aspinwall's *Narragansett Patent*, p. 20.

The Bay magistrates now tried a new tack. They wrote to Williams, as chief officer of the colony, that they had "received lately out of England a charter from the authority of the High Court of Parliament, bearing date 10th December, 1643, whereby the Narragansett Bay, and a certain tract of land wherein Providence and the Island of Quidny are included"; and warning those in the said territory to "forbear to exercise any jurisdiction therein".<sup>1</sup> Williams perceiving that the order was founded upon no legal sanction, returned what he termed "a righteous and weighty" answer,<sup>2</sup> to which he never received the least reply. Massachusetts continued to send out occasional warrants to those in her claimed jurisdiction at Shawomet, but apparently abandoned the idea of interfering with the provisions of the Charter of 1644.

There are certain passages in the letter to Massachusetts which seem to show that an early attempt was made by the colonists to form a federated government in conformity with the terms of the Charter. They express themselves as being "in the posture of Government", allude to the Charter as having been granted and "established", and sign themselves in true governmental form. There was surely some semblance of organization, especially as Williams in his letter to Mason speaks of himself as the "chief officer in this colony". The true state of affairs was perhaps best described by Gorton, writing in 1646: "Which Charter being joyfully embraced, and with all expedition, an orderly and joint course was held, for the investing of the people into the power and liberties thereof unanimously, for the exercise of the

<sup>1</sup>*Mass. Col. Rec.* iii, 49, the letter being dated Aug. 27, 1645. The Charter referred to as having been granted Dec. 10, 1643, is the so-called "Narragansett Patent". This patent, supposed to have been obtained by the unauthorized efforts of Welde, the Bay agent in England, was never recognized at home or abroad. Whether a forgery or not, its inherent worthlessness has been clearly shown by Thomas Aspinwall in his *Remarks on the Narr. Patent*. (See also *Mass. H. S. Proc.* for May, 1860, p. 39; Feb., 1862, p. 400; June, 1862, p. 41; and *Book Notes*, viii, 196.) In 1673 the Town of Warwick made the following statement concerning the patent: "Mr. Wells procured a patent for our colony and got the same honorable persons [his Majesty's commissioners] hands to it as was to our first patent procured by Mr. Roger Williams; but when it came to be pleaded to, the Earl of Warwick protested it never passed that board, and therefore condemned it, notwithstanding his own hand was to it, to Mr. Wells his shame". (Copies of Warwick Records, in *R. I. H. S. Library*, p. 29.) It was also positively stated both by Williams and Brenton to have been not legally executed (*Narr. Club Pub.* vi, 341; and *R. I. Col. Rec.* ii, 162.) In 1664 the Town of Warwick claimed that this patent had been defeated through the exertions of their agents (*R. I. C. R.* ii, 80). The patent itself is printed in the *N. E. Hist. and Gen. Reg.* xi, 41.

<sup>2</sup>Williams's reference to this reply is in his letter to Mason in *Narr. Club. Pub.* vi, 341.



authority, in the execution of laws, for the good and quiet of the people, which thing gave great encouragement unto the planters, to go on in their employments, hoping to enjoy their lawful rights and privileges without disturbance, which the Massachusetts, together with Plymouth, understanding, they go about by all means to discourage the people, by their endeavouring to weaken and invalid the authority of the Charter in the eyes of the country".<sup>1</sup>

Undoubtedly there was some attempt to organize immediately a government under the Charter; but its operation and effectiveness must have been defeated by the aggression of Massachusetts and Plymouth, as Gorton infers, and also by the lack of co-operation within the colony. There was a certain faction at Aquedneck that was continually seeking to defeat the purposes of the Charter for nearly a decade after its acquirement. To this faction a separate Island charter, or even alliance with Massachusetts, was preferable to union with a contentious settlement under a patent which did not even recognize the Island in its title of incorporation. The feeling of distrust must have changed to one of fear, when this faction realized that the Gortonists had been admitted to equal parliamentary privileges in the new ship of state. On November 11, 1646, we find Coddington writing to Winthrop: "The Commissioners have joined them [Gorton and his company], in the same Charter, tho we maintain the Government as before".<sup>2</sup>

Thus, on account of local animosities, no effective establishment of the Charter of 1644 was brought about until the spring of 1647. In May of that year, arrangements for a general assembly of the people at Portsmouth were made, if we may judge by the subsequent trend of events, chiefly at the instigation of the anti-Coddington faction at Aquedneck. On May 16, the inhabitants of Providence appointed ten commissioners to represent the town in the approaching assembly, and to take action upon the governmental "model, that hath been lately shewed unto us by our worthy friends of the Island". They gave the commissioners full power to act for the town, and instructed them to procure a copy of the Charter, to secure for the town the complete ordering of its own internal affairs, to make provision for appeal unto General Courts, and in case town charters were granted, to obtain one for Providence suited to promote the general peace and union of the colony. They closed by committing the

<sup>1</sup>*Simp. Defence* (R. I. H. S. Coll. II, 166).

<sup>2</sup>*Deane's Gorton*, p. 41.



delegates to the direction of the Almighty, wishing them "a comfortable voyage, a happy success, and a safe return".<sup>1</sup>

On May 19, this general assembly, constituting the "major part of the Colony", gathered at Portsmouth to accept the Charter, to elect officers, and to draw up a code of laws. After having chosen John Coggeshall moderator, they all agreed to "set their hands to an engagement to the Charter". They made provision for a quorum and for representation of the towns at future General Courts, admitted Warwick to the same privileges as Providence, and then proceeded to the election of officers. John Coggeshall of Newport was chosen by ballot to be President of the Colony, and an Assistant was chosen for each town—Roger Williams for Providence, John Sanford for Portsmouth, William Coddington for Newport, and Randall Holden for Warwick. William Dyer was elected General Recorder, and Jeremy Clarke Treasurer.

The method of originating legislation was then prescribed. A law was first to be discussed and voted upon in the town, which was to subject the result of the decision to the approval of the three other towns. Each of the four towns was to commend its decision to a committee of six to be discussed in "General Court" or committee meeting. If it was then found that the major part of the colony concurred in the case, it was to stand as a law until its final confirmation by the general assembly of all the people. It was further agreed that this General Court could discuss and determine new cases brought before them and carry the result of their decision to their respective towns. The townsmen were to vote upon the matter, when it could stand as a law until the next general assembly of all the people, to be finally approved or repealed. Thus it will be seen that the people, being extremely jealous of delegated authority, insisted upon reserving to themselves the final voice in legislation. They enjoyed both the "initiative" and the "referendum"; in fact, they possessed the sovereign political power, not in their collective capacity as inhabitants of the town, as has been often supposed, but as individuals belonging to the Colony. This law was probably framed by those on Aquedneck. If the political unit was to be the town, then Newport's greater numbers, wealth and culture would all go for naught. Having the largest population, the Islanders naturally desired a majority rule. It is doubtful, however, whether laws originated elsewhere than in the General Courts, or whether the people ever exercised their right of

<sup>1</sup>*Prov. Rec.* xv, 9.

repeal. The method of legislation was too cumbersome and soon yielded to a representative system more worthy of the name.<sup>1</sup>

After ordering a colony seal, adopting a complete military system, and making several minor provisions, the assembly proceeded to the adoption of their bill of rights and code of laws. In the preamble they assert that "the form of government established in Providence Plantations is Democratical, that is to say, a government held by the free and voluntary consent of all, or the greater part of the free inhabitants". This characteristic doctrine is followed by a bill of rights, embracing under four distinct heads the foundation of all subsequent legislation. The first of these sections re-enacts the clause in the Magna Charter that no man shall be molested except by the lawful judgment of his peers. The second guards the right of the individual against the government by enacting that no officer shall do either more, or less, than what he is authorized to do. As far as principle was concerned, there was to be no sanction of a "loose construction" by these early legislators. The third section secures the rights of the minority by requiring that all laws must be "founded on the Charter and rightly derived from the General Assembly". The fourth enacts that those who serve the public shall be duly compensated and also establishes a fine for refusal to serve.

The code of laws, which follows the bill of rights, is truly a most remarkable instrument. It may not define crimes with the fullness and legal precision employed in a disquisition on criminal law, but its meaning is never in doubt. Through it all there breathes a spirit of frankness and freedom strongly in contrast to the spirit of the age. These legislators well knew that the source of their power resided in their dependence upon England, but they had no intention of allowing any of their chosen principles of religious and political toleration to be frustrated by any ancient provisions of English law. Their enactments concerning the formation of a military force, the regulations with reference to the payment of import duties by foreigners, the limitation of punishable crimes to those expressly listed in the code, and the provision which allowed all men "to walk as their conscience persuade them", all show their disregard for English laws relating to the same subjects. The provision that laws should be conformable to the laws of England only in "so far as the nature and constitution of the place will admit", was not inserted in the Charter without reason.

<sup>1</sup>See the Act of Oct. 26, 1650 (*R. I. Col. Rec.* 1, 228) in which the law of 1647 was repealed.

Although there is not space here to allude in detail to the provisions of this code, the remarks of Judge Staples on the subject, written over fifty years ago, should certainly be quoted. These early legislators, he says, "began at the foundation, and adopted a bill of rights which secured all that their ancestors had wrested from their kings, and which their countrymen had subsequently lost, and were then endeavoring to regain. They clothe them in language too plain not to be understood. They were a simple people, and the language of their laws was such as a people would naturally use. They regarded themselves, within the scope of their charter, as the only source of power among them, and they in practice declared 'that their government derived all its just powers from the consent of the governed'. They expressly declared their government to be a democracy, or 'government held by the consent of all the free inhabitants'. This declaration was as heterodox in the political systems of that day, as were their notions of soul-liberty. . . . This code, and the acts and orders passed at its adoption, constituted the fundamental laws of the colony while the charter remained in force. The alterations made in them during that period were rather formal than substantial. Their spirit remained unchanged, and has been infused into all the subsequent legislation of the colony and state".<sup>1</sup>

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## CHAPTER VII.

### THE PERIOD OF THE FIRST CHARTER, 1648-63.

The people of Rhode Island had started the machinery of their new framework of government, but they were poorly qualified to keep the machine running smoothly and easily. When to the controversies within the separate towns were added the disputes arising from a general union, the burden seemed more than they could bear. The absence of a state protected church, while of incalculable benefit from many points of view, was in that day somewhat of a bar to political order. The blind subordination of the people and the calm ascendancy of the rulers—both the fruits of a theocracy—gave place in Rhode Island to rampant individuality. Eccentrics, enthusiasts, men

<sup>1</sup>*Code of 1647*, p. 63.

of original and bold minds—those who are in the vanguard of every great reform—are seldom best qualified to submit peacefully and quietly to a newly framed government. And the early colonists of Rhode Island were no exception to the rule. The addition of new political relations only gave opportunity for further dissension.

Trouble soon began to crop out between Newport and Portsmouth. Scarcely had the charter been adopted, when the former town, by a vote of 41 to 24, signified its desire to continue under the same joint government as before; but the Portsmouth men, adopting a more reasonable construction of the charter, replied to the Newport messengers that they would “act apart by themselves and be as free in their transactions as any of the other towns in the colony”.<sup>1</sup> Providence, although not entertaining a dislike toward the new government, was too disturbed by internal disputes to be of much assistance in its management. Williams, either to escape these distractions or to seek a closer acquaintance with the Indians, had established a trading house in the heart of the Narragansett country.<sup>2</sup> He continued, however, to lend his aid and presence to the conducting of Providence affairs, and in December, 1647, prevailed upon several of his associates to subscribe to an act, whereby they renewed their allegiance to the town and colony, and consigned all former differences to the “Grave of Oblivion”.<sup>3</sup> This act bore little fruit, since the few who signed it were least addicted to contentious actions.

Affairs were running far more smoothly, then, when the General Assembly met at Providence in May, 1648. Scarcely had Coddington been elected President when he was suspended, pending certain bills of complaint exhibited against him. As he did not attend the court to clear himself of the accusations against him, Jeremy Clarke, the assistant from Newport, was chosen to supply his place.<sup>4</sup> The issue between the state party and the Coddington faction lay in the latter's refusal to side with the colony in her controversies with Massachusetts; and this course Coddington undoubtedly pursued from his dislike for Samuel Gorton.<sup>5</sup> Williams, from his trading post near Wickford,

<sup>1</sup>*Portsmouth Rec.* p. 35, 37.

<sup>2</sup>For this phase of Williams's life, see *Narr. Hist. Reg.* ii, 25.

<sup>3</sup>*Prov. Rec.* xv, 11.

<sup>4</sup>The General Assembly record does not mention the specific nature of these charges, but Coddington says that the case in question was one with William Dyer. (4 *Mass. Hist. Soc. Coll.* vi, 321.) The records of the Court of Trials (MS. volume in Sec. of State's office) mention the case as one of assault and battery. Coddington and Dyer signed an agreement of reconciliation, Mar. 14, 1656, (*Narr. Club. Publ.* vi, 294).

<sup>5</sup>See his letter to Winthrop in Hutchinson, *Collection of Papers*, p. 224.

viewed the proceedings with much trepidation. "Our poor colony", he writes, "is in civil dissension. Their last meetings, at which I have not been, have fallen into factions. Mr. Coddington and Captain Partridge, etc., are the heads of the one, and Captain Clarke, Mr. Easton, etc., the heads of the other faction", and again, "The colony now looks with the torn face of two parties, and the greater number of Portsmouth with other loving friends adhering to them, appear as one grieved party; the other three towns, or greater part of them, appear to be another".<sup>1</sup> Williams's proposal for a general conference met with but little response. The Coddington party cherished designs and ambitions which no attempt at arbitration could frustrate.

The first move in the scheme was made in September, 1648. William Coddington and Captain Partridge presented to the Commissioners of the United Colonies the following application:

"Our request and motion is in the behalf of our Island; that we the Islanders of Rhode Island may be received into combination with all the United Colonies of New England in a firm and perpetual league of friendship and amity; of offence and defence, mutual advice and succor, upon all just occasions, for our mutual safety and welfare, and for preserving of peace amongst ourselves; and preventing, as much as may be, all occasions of war and difference; and to this our motion we have the consent of the major part of our Island".<sup>2</sup> The Commissioners responded that the request should be granted only in case the Islanders should acknowledge themselves within the jurisdiction of Plymouth. This condition was no bar to Coddington's traitorous design. In company with Captain Partridge, says Williams, he returned "with propositions for Rhode Island to subject to Plymouth; to which himself and Portsmouth incline; our other three towns decline".<sup>3</sup> Such action would have been a complete disavowal of opinions which the people of Rhode Island had cherished for over a decade. Forgetful of the agency of Roger Williams both in procuring the grant of Aquedneck and in obtaining the Charter, this Newport Royalist would have deserted him when he most needed the help and strength of the larger towns; disregarding those principles of religious liberty for which he had contended for so many years, he would have subjected himself and his companions to a colony where church and state were one; unmindful of the hardships and self-sacrifice which all had undergone in order to found an abode of democracy and toleration

<sup>1</sup>*Narr. Club. Publ.* vi, 150, 166.

<sup>2</sup>Request and reply in *Plym. Rec.* ix, 110.

<sup>3</sup>*Narr. Club. Publ.* vi, 154.

in the New World, he would have abandoned the two smaller towns to be overcome by their aggressive neighbors. Fortunately the great majority in the colony saw fit to continue the "experiment" and Rhode Island was saved.

Failing to impress even the people of his own town with the wisdom of destroying their government, Coddington was now prepared to execute a more covert, but equally destructive, scheme. He had witnessed the decline of his own influence, due to his unwillingness to act with his fellow colonists in their contentions with Massachusetts, and he now thought that harmony could be restored only through the restoration of his own authority. Ambition and a mistaken idea of his own importance caused in him the desire to be absolute ruler of the Island. As Dr. Turner has said in his most excellent account of Coddington: "Almost any man would be in favor of monarchy, if he could be king"; and Coddington was no exception to the rule. Not disclosing his design to any one, he sailed for England in January, 1649, leaving Captain Partridge in charge of his affairs at Newport.<sup>1</sup> Of his subsequent fortunes we shall hear later.

During his absence, matters went on in the same inharmonious routine as before. At a special meeting of the Assembly in March, 1649, Williams was chosen Deputy-President, and charters of incorporation were granted to the different towns.<sup>2</sup> The annual May sessions for 1649 and 1650 resulted in the regular elections of officers, and in the making and amending of certain laws to suit new conditions. The most important item of business at these meetings was the effort to resist the intended occupancy by Massachusetts of the Pawtuxet and Shawomet lands. At Pawtuxet dwelt the little band of men, led by the Arnolds, who had subjected themselves to Massachusetts in 1642, and who thenceforth kept that colony constantly informed as to Rhode Island affairs. Their refusal to pay taxes and to attend the colony courts led Rhode Island legislators to make frequent complaints of their traitorous conduct.<sup>3</sup> At Shawomet, also, Massachusetts still

<sup>1</sup>*Narr. Club Publ.* vi, 169; *R. I. Hist. Tracts*, iv, 50.

<sup>2</sup>The Charter for Providence is in *Prov. Rec.* ii, 113, 151. That for Warwick is copied in the MS. records of that town. The Portsmouth charter is referred to in the *Port. Rec.* p. 41.

<sup>3</sup>This Pawtuxet body took every opportunity to oppose Rhode Island interests, and were thoroughly determined to belong to the jurisdiction of Massachusetts. In a letter of Aug. 11, 1653, they ask that "some small rate" shall be laid upon them, and that officers shall be appointed to collect it. The rest of the letter, as usual, is filled with abuse of Rhode Island, this time directed against the people of Warwick, whom they accuse of restraining some of their inhabitants from subjecting themselves to Massachusetts. (Letter in *Extracts from Mass. MSS.* ii, 144, in R. I. Hist. Soc. Library.)



claimed jurisdiction. In June, 1650, Plymouth, at the request of a Bay commissioner, relinquished whatever claim to Shawomet and Pawtuxet lands she possessed. The Commissioners of the United Colonies, however, advised that the lands in question should be restored to Plymouth, and the Massachusetts Court acceded.<sup>1</sup>

To all of these assignments of her territory, Rhode Island made a vigorous protest. At this time when the interchange of warnings and summons could have engendered little good feeling between the two colonies, there occurred an exhibition of Puritan intolerance which must have obliterated what little friendship there was left. In July, 1651, three members of the Newport church—John Clarke, Obadiah Holmes, and John Crandall—were deputed to visit an aged fellow member, who was residing near Lynn. Scarcely had they arrived and begun holding worship in the house when they were arrested, “being strangers”. A few days later they were tried at Boston, charged with being anabaptists, and heavily fined. Holmes, for refusing to pay his fine, was so unmercifully beaten with a corded whip that it was a torture for him to move for many weeks afterwards.<sup>2</sup> Thus did the Massachusetts clergy, through the fear of being deprived of their temporal power, repress those who dared to worship God in their own manner. Bigoted as they were, they could not heed Clarke’s prophetic warning that the “forcing of men in matters of conscience towards God to believe as others believe, and to practise and worship as others do, cannot stand with the peace, liberty, prosperity and safety of a place, commonwealth, or nation”.

Coddington, in the meanwhile, had succeeded in having himself installed as ruler of Aquedneck. He had entered a petition with the Council of State, praying for a personal grant of the islands of Aquedneck and Conanicut from Parliament. He stated that he had discovered those islands, had purchased them of the Indians and lived in quiet enjoyment ever since, and was now desirous of being governed by English laws under the protection of the Commonwealth. On April 3, 1651, after nearly a year’s delay, he was commissioned as Governor of the two islands. He was allowed to raise forces for defence, and to appoint annually not more than six counsellors, who,

<sup>1</sup>See *Mass. Col. Rec.* iii, 216, iv, 16; *Plym. Rec.* ix, 170; Arnold, i, 230. The ease with which Massachusetts could assign and reassign Rhode Island lands is chiefly explained by the disparity in the size of the two colonies.

<sup>2</sup>The chief original sources for this narrative are in Backus’s *Hist. of Baptists*, i, 207, Clarke’s *Ill Newes*, and Cobbett’s *Civil Magistrate’s Power*. The best modern treatment is H. M. King’s *Visit of three Rhode Islanders to Mass. Bay*.



however, were to be nominated by the freeholders of Newport and Portsmouth.<sup>1</sup> There is not the slightest doubt that Coddington obtained this commission under false pretences. His representation as to personal ownership of the island was certainly untrue, and was expressly denied by him a year later. That his neighbors so regarded it, is shown in Dexter's letter to Vane of August, 1654, in which he says, "We were in complete order, until Mr. Coddington, wanting that public, self-denying spirit which you commend to us in your letter, procured by most untrue information, a monopoly of part of the colony, viz., Rhode Island to himself, and so occasioned our general disturbance and distractions".<sup>2</sup>

Coddington's return to Rhode Island in the late summer of 1651 is strongly in contrast with the return of Williams seven years previous. Sixty-five of the inhabitants of Newport, and forty-one at Portsmouth, joined in requesting John Clarke to proceed to England and there seek a repeal of the commission.<sup>3</sup> The inhabitants of Providence and Warwick immediately took active exertions towards raising two hundred pounds to send Williams to England.<sup>4</sup> Overcome by their importunities, he sold his trading house at Narragansett, petitioned the Bay for passage through their jurisdiction, and embarked at Boston probably in November, 1651. He and Clarke, though acting for different constituencies, both sought the same object—the repeal of Coddington's commission.

The sudden arrival of Coddington with his commission left the two northern towns in the unenviable position of having to form a new government. As Arnold wrote to the Bay rulers: "Coddington hath broken the force of their charter, because he have gotten away the greater part of the colony". After a preparatory organization at Warwick in October, the commissioners of the two towns met at Providence in November, 1651, and declared that the Island towns had deserted from the chartered government formerly established. Act-

<sup>1</sup>The proceedings of the Council are given in *Calendar of State Papers, Colonial, 1574-1666*, pp. 335-354. See also Palfrey, II, 344.

<sup>2</sup>*R. I. C. R.* II, 50, 287.

<sup>3</sup>*Staples's Annals*, p. 82. Coddington wrote Winthrop that the plantation "hath not hitherto succeeded as was expected by me", and said that a rebellion had been occasioned by some proceedings against William Dyer. (*Mass. Hist. Soc. Coll.* vi, 322; vii, 282.) Dyer and some others petitioned Massachusetts in Nov., 1651, for freedom to embark at Boston on their way to seek redress in English courts. (Copied in *Extracts from Mass. MSS.* I, 53, in R. I. H. S. Library.)

<sup>4</sup>Letter to Mass. from William Arnold, who hopes that their purpose may be frustrated and humbly desires that his name be concealed, Sept. 1, 1651 (*R. I. C. R.* I, 234). See also *Narr. Club Publ.* vi, 228, 231, 297.

ing under that charter, they chose a President—Samuel Gorton—and enacted that the legislature should henceforth consist of six men from each town in the colony.<sup>1</sup> Gorton called a general assembly for May, 1652, when they elected a new set of officers, and ordered among several laws of minor importance, that no slave, black or white, could be held in servitude for more than ten years. This was one of the very first laws ever made which provided for the emancipation of the negro.<sup>2</sup>

A small controversy now arose between Providence and Warwick which showed that some strong hand was necessary in order to keep the inhabitants from bickering over matters of trivial importance. In July, 1652, the Providence commissioners wrote to Warwick, communicating the latest advices from Roger Williams and proposing the appointment of a committee to compose an answering letter of encouragement. To this Warwick assented, and further provided that the committee might if they saw fit, treat with Newport and Portsmouth about expressing the unanimous desire of the four towns of renewing the Charter. But the Providence men would not contemplate this "enlargement" of their plans and in a plainly written letter replied to that effect.<sup>3</sup> They met at Providence in October and drew up a reply according to their own way of thinking, in which they urged that Williams should have himself appointed by Parliament as Governor for one year. At the next meeting, held at Warwick, the commissioners declared against certain particulars in the letter which were "contrary to the end for which the said Roger Williams was sent". And so these and other matters of local importance—engendering "uncivil speeches", vilification of neighbors, and allegations of illegality—continued to disturb the meetings of this truncated remnant of a colony, until the success of Williams's mission made them abandon local animosities to face problems of state.

At Newport Coddington was rapidly discovering that even the smallest of monarchies cannot be successful with disaffected subjects. One cause of controversy was his withholding of the original purchase deeds of the Island. The settlers knew that he had obtained his commission through representing himself as sole purchaser, and this claim they made him flatly disavow by inducing him to deliver over to them

<sup>1</sup>*Prov. Rec.* xv, 49; *R. I. C. R.* 1, 233-38.

<sup>2</sup>*R. I. C. R.* 1, 243.

<sup>3</sup>These three letters, all dated in July, 1652, are in *Copies of Warwick Records*, p. 3-4, in *R. I. Hist. Soc. Library*; and in *Prov. Rec.* xv, 56. See also *R. I. C. R.* 1, 249, 356.

all the original deeds and records.<sup>1</sup> Another cause of trouble had its origin in controversies begun in the mother country. The war that had been declared between England and Holland early in 1652 spread to the New World, and led to certain restrictions upon the enterprising Dutch traders who had already opened a flourishing commercial intercourse between New York and Narragansett Bay. In April, 1652, some letters borne by Dutch messengers to Governor Coddington were intercepted, opened, and found to contain an offer of soldiers to be employed against the inhabitants of Rhode Island. The General Assembly immediately charged both Coddington and the Dutch Director with conspiracy and treason.<sup>2</sup> Although the case does not seem to have been pressed, the event does not display the character of Coddington in the most favorable light.

In England, Williams and Clarke were striving to obtain the repeal of Coddington's commission. The disturbed condition of affairs resulting from the Dutch war, and the vigorous opposition of the other New England agents greatly hindered them in their undertaking.<sup>3</sup> But the influence of Sir Henry Vane—the "sheet-anchor of our ship", as Williams called him—coupled with the fact that the colony, in its disordered condition, might fall into the hands of the Dutch, finally induced Parliament to revoke the commission. The document, dated October 2, 1652, empowered the magistrates and people of the colony to administer the government by virtue of previous instructions, until further directions should be given.<sup>4</sup> With the hope of obtaining a final determination, and also for the purpose of settling some private affairs,<sup>5</sup> Williams continued to remain in England until the spring of 1654. The news of the provisional repeal, however, was immediately conveyed to the colony by William Dyer, who arrived there in the early part of the year 1653.

There was no reason now why the towns should not unite again under the terms of the Charter of 1644. But local animosities and

<sup>1</sup>*R. I. C. R.* i, 50, under date of Apr. 14, 1652.

<sup>2</sup>O'Callaghan's *Doc. Col. Hist. of N. Y.* i, 497.

<sup>3</sup>See Williams's Letters in *Narr. Club. Publ.* vi, 254, and *Copies of Warwick Records*, p. 4 in R. I. H. S. Library.

<sup>4</sup>The document is printed in Palfrey ii, 557. It makes special provision for defending the colony against the Dutch, and advises the appointment of William Dyer as a sort of admiralty officer to report the capture of Dutch vessels, etc.

<sup>5</sup>*Narr. Club. Publ.* vi, 236. While in England, Williams tutored, read Dutch with Milton (*Narr. Club Publ.* vi, 262) and published four controversial pamphlets (see titles in *J. C. Brown Catalogue*). Clarke also published his *Ill Newes from N. E.* in 1652.

jealousies prevailed. Freed as they had been for so many years from the restrictive influence of a religious supervision, accustomed as they were to almost complete political freedom, these colonies had yet to learn that the wish of the individual must be subordinated to the good of the state. The two northern towns held that as their government under the charter had never been interrupted, they constituted the legal colony.<sup>1</sup> The two island towns, since they possessed the greater population and importance, acted most independently, and paid scarcely any attention to Providence plans for union, unless the mainland towns should sue for it from island assemblies. Thus, for nearly two years there were two distinct governmental bodies, each professing to act for the whole colony, and each often passing laws directly in repudiation of the other's action.<sup>2</sup>

<sup>1</sup>See the letter from Providence to Roger Williams in Staples's *Annals of Providence*, p. 89.

<sup>2</sup>Since the action of these separate assemblies has never been given in orderly detail, and since unused manuscripts throw some new light on the subject, it is here briefly summed up in a footnote. In February, 1653, Dyer wrote to both Providence and Warwick that he had some letters of trust which he would communicate to them at a meeting in Portsmouth. (*Prov. Rec.* xv, 52.) Thereupon the commissioners of the two northern towns met on Feb. 25, and sent down messengers with overtures of union, to which they received no reply; nor did a request, at a meeting of Mar. 9, for the mutual appointment of committees avail anything further (*R. I. C. R.* i, 239, 269). The two island towns met on Mar. 1, and, styling themselves the "Assembly of the colony", declared that all officers should stand until the May election. (*Idem*, p. 240.) On Mar. 18, they wrote a letter to Providence and Warwick, informing them of the approaching election in May, and telling what legislation was to be discussed. The mainland towns replied that they would meet to discuss reunion, upon ten days' notice. Receiving no reply to this they met on May 16 and elected officers for their own two towns (*Idem*, p. 258; see also *Prov. Rec.* xv, 34, 64, 65). On May 17 the island towns met, elected officers for the colony including assistants for Providence and Warwick, made several laws, and granted commissions to privateers to go against the Dutch. (*R. I. C. R.* i, 263.) The northern towns met on June 3, and drew up a remonstrance, stating how their attempts at reunion had been disregarded, and complaining of the issue of commissions in the name of the colony. (*Idem*, p. 267.) At a special meeting of Aug. 13, they addressed a letter to Massachusetts concerning her subjects at Pawtuxet. (*Idem*, p. 271.) The Island assembly met at Portsmouth Aug. 16, and drew up a letter in reply to one sent by Massachusetts protesting against the capture of a French prize by Capt. Hull, acting under a Rhode Island commission. (Mass. letter copied in *Extracts from Mass. MSS.* i, 56, in R. I. H. S. Library.) Their reply was in substance, that the Bay protests of illegality would be referred to English courts. They transacted various items of business, appointed one committee to negotiate with Providence and Warwick, and another to reconcile the difficulties on the Island itself. This latter committee reported that "Mr. Coddington only will agree to a compliance in case he may be governor and act upon his commission". (The records of this important assembly are not in *R. I. Col. Rec.* They are copied in *Extracts from Mass. MSS.* i, 59, in R. I. H. S. Library.) On Sept. 5, William Arnold, at Pawtuxet, communicated to

Although some of the men of the northern towns strove to heal the breach by attending Island assemblies, it was not until August, 1654, that a complete reconciliation was effected. The noise of the disorders had reached England and drew forth from Sir Henry Vane a stinging letter which did much to quicken the union. "Are there no wise men among you", he writes, "no public self-denying spirits that at least upon grounds of common safety, equity and prudence can find out some way or means of union, before you become a prey to common enemies"? The reply of Providence to this letter, although ascribing the chief cause of disorders to Newport contentions, admitted that which was really the key to the whole situation, namely, the possibility that imbibing too much from the "sweet cup [of liberty] hath rendered many of us wanton and too active". On August 31, 1654, a few weeks after the receipt of this letter, commissioners from the four towns met and signed general articles of reunion, in which the transactions of each set of towns during the period of separation were allowed to stand, and the government under the Charter of 1644 was resumed.

The danger of a Coddington monarchy was at last warded off, and the dethroned ruler later stated publicly in the General Assembly that he did "freely submit to the authority of his Highness in this Colony as it is now united, and that with all my heart".<sup>1</sup> The separated settlements had come together, but the renewed aggressiveness of their neighbors, combined with the exuberant political activity of some of their own number prevented them from enjoying the fruits of such a union. The insecurities of disjunction were replaced by the perils arising from tumultuous town-meetings, especially at Providence,<sup>2</sup> from outside greed for Rhode Island lands, from Indian depredations,

the Bay intelligence as to the document sent to England in response to Massachusetts' protest—a document, by the way, which his own son was one of those appointed to draw up (Hutchinson, *Collections*, p. 253). There were apparently no meetings of the northern towns in 1654; but on May 16 of that year, there met on the Island a general assembly in which both Providence and Warwick were represented. A committee was chosen to compose the difficulty with "our dissenting friends". (*R. I. C. R.* i, 273.) In July came the letter from Vane, written Feb. 8, 1654, which did much to bring in the dissenters, and which was answered by Providence on Aug. 27. (*Idem*, p. 285.) On Aug. 31, commissioners from each of the four towns met and adopted articles of reunion. (*Idem*, p. 276.)

<sup>1</sup>*R. I. C. R.* i, 327, under date of Mar. 12, 1656.

<sup>2</sup>See *Prov. Rec.* ii, 81; *R. I. H. S. Coll.* ix, 60; *R. I. H. S. Proc.* 1883-84, p. 79. A paper, circulated in 1654 by some seditious citizen at Providence, asserting that it was "against the rule of the gospel to execute judgment upon transgressors against the public or private weal", drew forth from Williams his oft-quoted "parable of the ship" (see *Narr. Club Publ.* vi, 278; Backus, *History of Baptists*, 1, 297.)

and from a dozen other dangers that might beset an unstable state. Roger Williams, in a letter to Massachusetts in 1655, refers to those difficulties with which the Bay was particularly concerned. The Indians near Warwick, says Williams, constantly committed such insolences that he remained in daily expectation of a great fire or massacre. When questioned for their conduct, they claimed to be within Massachusetts jurisdiction. At Pawtuxet also, the four families who had submitted to the Bay in 1642, continued to evade the colony taxes and disobey the colony laws under shelter of the Bay authority. Another cause of complaint was the refusal of Massachusetts to sell any powder or guns to Rhode Island people. Williams asserted that it was most unjust for the Bay magistrates to allow their own race and kindred to be exposed to the horrors of an Indian massacre, merely through lack of the means for an adequate defense. In his apt metaphor he remarks that although Rhode Island had often been esteemed a thorny hedge in the side of Massachusetts, yet even a hedge must be maintained as a bulwark against common enemies.<sup>1</sup>

An event now occurred which has laid Williams open to the charge of inconsistency, and which seems to show that for once at least his personal animosities got the better of his usual peace-making spirit. William Harris, always in active opposition to Williams, had written a tract in which, according to his own account, he sought to defend "some simple, harmless people" whose conscientious principles forbade them to fight, take oaths, or conform to other colony regulations. Williams, who was the president of the colony, inferred from this tract that Harris was against all government, and at the May session of the Assembly, in 1657, brought against him the charge of high treason. The court put the matter over until the July session, and then came to the following negative decision. Having found that Harris had "much bowed the Scriptures to maintain that he who can say, it is his conscience, ought not to yield subjection to any human order amongst men", they admitted that it was "contemptuous and seditious", and discreetly referred the whole matter to John Clarke, the agent in England. All the papers, however, were probably lost at sea, and the subject was never again revived.

Harris may have given vent to his opinions in a contemptuous and irritating manner, and expressions of disloyalty and sedition could

<sup>1</sup>Williams's letter dated Nov. 15, 1655, is in *Narr. Club Publ.* vi, 293. See also the letter of May 12th, 1656, on page 299. Winthrop had previously admitted the error of state policy in refusing the settlers of Aquedneck powder for their defence. (*Hist. of N. E.* ii, 173.)



have undoubtedly been inferred from his vigorous writings. But Williams must have realized that the charge of high treason could never have been supported, and that nothing more could have been accomplished than the possible blackening of his opponent's name. Even if the opinions that Harris held were dangerous in principle, they should not have formed the ground of such a severe charge unless he attempted to carry them into action by resisting the state. The condition of the colony at the time was so precarious that it would have been far better to pacify than to accuse.<sup>1</sup>

Whether or not on account of his action against Harris, Williams was not re-elected President of the colony in the spring of 1657. Benedict Arnold, who was one of the seceders to Massachusetts and who had removed to Newport in 1651, was chosen in his stead. His elevation to this high position must have made his father, William Arnold, and his other relatives and friends at Pawtuxet realize that their position as subjects of another colony, was not exactly conducive to the most harmonious family interests. For on May 26, 1658, William Arnold and William Carpenter, in behalf of the inhabitants of Pawtuxet, petitioned for a dismissal from their subjection to the Bay government, which the court immediately granted.<sup>2</sup> We must notice, however, that Roger Williams, filling his usual role of peace-maker, is partially accredited with bringing about the reconciliation.

Rhode Island was finally freed from the troublesome intrusion of an alien government, and was now able with a more united front to cope with new state problems. One of the first of these difficulties arose from the arrival of a sect which, much despised and persecuted in the neighboring colonies, brought to Rhode Island a legacy the value of which cannot be too highly estimated. For the principles of the Friends—or Quakers, as they were termed—being soon espoused by many of the leading inhabitants of Rhode Island, exerted a most moderate and beneficial influence on colony legislation for over a hundred years. The first comers of this sect to New England shores arrived at

<sup>1</sup>Williams states his side of the controversy in his warrant for Harris's arrest (Arnold, i, 263), in a letter of 1668 (*Prov. Rec.* xv. 122), in a letter of 1669 (*R. I. H. S. Proc.* 1877-78, p. 72), and in his *George Fox digged out of his Burrowes* (*Narr. Club Publ.* v, 21, 31, 316). See also *Book Notes*, xiii, 267. The Harris side is given in a letter printed in a small pamphlet published in 1896 by Robert Harris, entitled *Some William Harris Memoranda*, in the *Plea of the Pawtuxet Purchasers* (*R. I. H. S. Publ.* 1, 204) and in Fox, *N. E. Firebrand quenched*, p. 282. See also Dorr, in *R. I. H. S. Coll.* ix, 73. The official action is in *R. I. C. R.* i, 361, 363, 396.

<sup>2</sup>*Mass. Rec.* iv, pt. 1, 333. The petition itself and other documents are in *R. I. H. S. Coll.* ii, 206.



Boston in 1656, and from that time on those "cursed heretics" became the special object of Massachusetts legislation. Imprisonment and fines, branding and mutilation, banishment and death, were rapidly meted out to them until the bigotry of the magistrates seemed to spend itself by its own force.

Rhode Island, ever a haven for distressed consciences, soon became a refuge for many of these persecuted people. The Commissioners of the United Colonies, perceiving this, wrote to Rhode Island in September, 1657, asking her to banish the Quakers already there and to prohibit all future inhabitation. The Rhode Island Assembly immediately answered: "We have no law among us whereby to punish any, for only declaring by words their minds concerning the things and ways of God".<sup>1</sup> When again urged in October, 1658, and even threatened with commercial excommunication, Rhode Island steadfastly adhered to her principles of religious toleration. A letter was sent to John Clarke in England asking him to plead "that we may not be compelled to exercise any civil power over men's consciences, so long as human orders in point of civilization are not corrupted and violated."

While the Quakers were thus being protected in Rhode Island territory, those of the sect who had the temerity to visit the neighboring colonies were being subjected to the fiercest persecution. As the letter to Clarke expressed it, "The Quakers are constantly going forth amongst them about us, and vex and trouble them in point of their religion and spiritual state, though they return with many a foul scar in their bodies for the same". Several who incurred the censure of the magistrates were fined, imprisoned and whipped. But the acme of cruelty, so far as Rhode Islanders were concerned, occurred in the case of Mary Dyer, wife of William Dyer of Newport. She was a brave, devout woman, who hoped that her persistent defiance of the Bay laws would force from the rulers a repeal of the cruel death penalty. Returning to Boston for the third time under pain of death, she was arrested and hung, June 1, 1660. But these revolting scenes were put to a stop in the following year by the royal command of Charles II, and the increasing number of the Quakers finally forced the magistrates to respect their rights.<sup>2</sup>

Soon after the arrival of the Quakers, Rhode Island embarked upon a series of disputes concerning the Narragansett country that was to

<sup>1</sup>R. I. C. R. i, 374; Rogers's *Mary Dyer*, p. 83.

<sup>2</sup>The story of Mary Dyer is graphically told in Horatio Rogers's monograph on the subject. For a list of references on the Quaker persecution, see the preface to Judge Rogers's volume and Winsor, *Narr. and Crit. Hist.* iii, 359, 503.

last for many years. This great tract of land, extending from the south line of the Warwick purchase to the ocean, and from Narragansett Bay to Connecticut's eastern boundary line, was in a most unsettled state as regards both ownership and jurisdiction. The original territory of the Narragansetts stretched towards the southwest at least as far as Wecapaug Brook, a little stream about five miles east of the Pawcatuck.<sup>1</sup> This whole tract, "extending about twenty-five English miles into the Pequod river and country", was included under the authority of Rhode Island in the Charter of 1644. Rhode Island, therefore, henceforth assumed jurisdiction of the tract. Connecticut, replying upon the Lords Say and Seal Patent of 1631, which granted territory as far east as the "Narragansett river", also laid claim to it. Massachusetts, although having no claim to Narragansett lands, demanded a share of the Pequot country as her portion of the spoils of the Pequot war; and in 1658 the Federal Commissioners decided that her claim was good, as far as the Mystic River.<sup>2</sup> Still another claimant for the Rhode Island lands were the heirs of the Duke of Hamilton, to whom the Plymouth Council had granted in 1635 all the territory between the Connecticut and Narragansett rivers.<sup>3</sup>

This much desired Narragansett country, which had so many claimants, contained no permanent settlement until long after the arrival of the 1644 Charter. Richard Smith, John Wilcox and Roger Williams had bought land of the Indians, and had erected trading-houses near the present Wickford about 1641.<sup>4</sup> But no settlement of a permanent nature was attempted until July, 1658, when Samuel Wilbur and three others of Portsmouth, and John Hull of Boston bought from the In-

<sup>1</sup>Nearly all the early Massachusetts and Connecticut authorities set Wecapaug as the boundary between the Narragansetts and Pequots. (See *R. I. H. S. Coll.* iii, 27, 56, 233, 263-267; *R. I. H. S. Publ.* viii, 72.) But Williams supposed the Narragansett country to have extended originally as far as the Pawcatuck (*Narr. Club Publ.* vi, 340). The testimony of several Narragansett sachems in 1661-2 also favors this latter view. (See *R. I. H. S. Coll.* iii, 242-247.)

<sup>2</sup>*Plym. Col. Rec.* x, 209. Massachusetts's claim affected the present R. I. territory only upon condition that the conquered Pequot country had previously extended as far east as Wecapaug.

<sup>3</sup>This claim never had any force, and was finally declared obsolete in 1697. (See Bowen, *Boundary Disputes of Conn.* p. 21.)

<sup>4</sup>J. W. Gardiner, in *Narr. Hist. Reg.* ii, 25, shows with much degree of plausibility that Williams may more properly be considered the pioneer of Narragansett than Richard Smith. John Wilcox's claim as "first settler" is advanced in *Narr. Hist. Reg.* ix, 60; see also *Idem*, viii, 269. The claim of the Dutch, who had trading stations at Charlestown even before the planting of Providence, should not be forgotten (*Dawson's Hist. Mag.* vii, 42.)

dians what was known as the Pettaquamscut Purchase. This comprised approximately the southeastern quarter of the Narragansett country. In the following year Major Humphrey Atherton and his partners purchased two tracts from the Indians—Quidnesset and Boston Neck—or roughly speaking, the eastern half of the present North Kingstown.<sup>1</sup>

If the Narragansett country was included within the patent of 1644—as it undoubtedly was—then the Atherton purchase was in direct contravention of Rhode Island law; for in November, 1658, the General Assembly had ordered that all unauthorized purchases from the Indians of lands within the colony would be made under penalty of forfeiture.<sup>2</sup> This law received a still further wrench in September, 1660, when the Narragansett sachems, unable to pay a heavy fine of 500 fathoms of wampum forced upon them by the United Colonies, mortgaged all their land to Major Atherton and his associates on condition that the mortgagees should pay the fine. This Atherton did, and since the Indians did not discharge the mortgage within the specified time of six months, the Atherton company took formal possession of the territory.<sup>3</sup> All this action, according to the “forfeiture laws” of November, 1658, was illegal and void. Rhode Island never attempted to oust the Atherton men from those lands that they had purchased from the Indians before that date, but, relying upon her sole jurisdiction under the Charter of 1644, she fought persistently to the end against this questionable mortgage.

Another dispute had already been begun concerning the lands in the extreme southwestern part of the Narragansett country. It will be remembered that the territory between the Wecapaug and Pawcatuck Rivers had been claimed by Massachusetts under the Commissioners’ award of 1658. Immediately after this decision, the Bay magistrates

<sup>1</sup>These two purchases took in the most fertile and desirable parts of the Narragansett country. For matters of detail concerning the Pettaquamscut Purchase, see *R. I. H. S. Coll.* iii, 275-299. Atherton’s partners in his purchase were Gov. Winthrop of Connecticut, Richard Smith and his son of Narragansett and three Massachusetts men. The Atherton partners also purchased Point Judith in 1660, which sale, however, was made invalid by the previous Pettaquamscut Purchase. They made much pretension towards settlement, even ordering in 1660 that all lots not built and settled upon within two years should be forfeited. For boundaries and other details of their purchase, see *The Fones Record*, and *R. I. H. S. Coll.* iii, 269. See also the map showing the original purchases in Narragansett in J. N. Arnold’s *Statement of the Case of the Narragansett Tribe of Indians*.

<sup>2</sup>*R. I. C. R.* i, 403; also *Narr. Club. Publ.* vi, 343.

<sup>3</sup>See *Plym. Rec.* x, 227, 248; *R. I. C. R.* i, 465; *R. I. H. S. Coll.* iii, 61, 234.

erected the lands on both sides of the Pawcatuck into a town, by the name of Southertown.<sup>1</sup> Two years later, in 1660, some inhabitants of Newport, acting upon the principle that Massachusetts' claim to the territory was without foundation, purchased from the Narragansett sachems the tract of land between the Wecapang and Pawcatuck Rivers, and began a settlement there.<sup>2</sup> This tract, called by the Indians Misquamicuck, was later named Westerly. The Bay magistrates immediately took action, and after sending a letter of protest to Rhode Island through the Federal commissioners, issued warrants for the arrest of the trespassers. Three were captured and brought to Boston, two of whom—Tobias Saunders and Robert Burdick—were fined and committed to jail for non-payment. To this summary act Rhode Island naturally took exception, affirming that the settlement was legally made and proposing to refer the whole matter to the King.<sup>3</sup> The matter remained in abeyance for over a year, during which period the inhabitants on either side of the Pawcatuck kept up a virtual border warfare most injurious to the peace of the colony.

These claims and encroachments upon Rhode Island territory, made possible by the ill-defined bounds of the First Charter, were the principal cause of a desire for a new and more specific instrument. This document, moreover, had been granted by Parliament, which was displaced in 1660 by the allies of the King. The monarchy was now restored in the person of Charles II. If Rhode Island wished to receive royal favor and recognition, she must needs exist under a charter other than that granted by a body whose proceedings were not recognized by the present ruling power.

Connecticut, however, had forstalled Rhode Island in this matter of procuring a charter. Through the able negotiation of John Winthrop, the younger, she had obtained in May, 1662, a charter granting powers and privileges of the most unusual latitude. According to its terms, the eastern boundary of Connecticut extended as far as "Narragancett River, commonly called Narrogancett Bay". These bounds,

<sup>1</sup>See *Mass. Col. Rec.* iv, pt. 1, 353. Southertown was later named Stonington.

<sup>2</sup>The deeds and several other documents relative to the subject are in *R. I. H. S. Coll.* iii, 241-269. The validity of the title to this tract depended upon whether the Narragansetts or the Pequots owned the land before the Pequot war. (See note on p. 98.) It is a question that can scarcely be settled at the present day, since the Indian witnesses furnished nearly the entire testimony.

<sup>3</sup>The documents relating to these matters are in *R. I. O. R.* i, 455-463, 469, 493; *Plym. Col. Rec.* x, 267, 287.

it will be seen, clashed with those of the Charter of 1644, and made it necessary for the Rhode Island agent to take immediate action. Fortunate it was for the colony that its affairs were entrusted to one so able and diplomatic as Dr. John Clarke. During the very year of the granting of the Connecticut instrument, he had presented two petitions to the King, in which he affirmed that the people of his colony had it "much on their hearts, if they may be permitted, to hold forth a lively experiment, that a flourishing civil state may stand, yea, and best be maintained, with a full liberty in religious concernments".<sup>1</sup>

So forceful were Clarke's objections to the boundaries of the Connecticut charter, that Winthrop was compelled to overstay his time abroad in order to compose the differences between them. In April, 1663, the justice of Rhode Island's claim was recognized by the award of four arbitrators, who decided that the "Pawcatuck River should be the certain bounds between the two colonies, which said river should for the future be also called alias Narrogansett, or Narrogansett River"; and also that the Atherton Company should "have free liberty to choose to which of the colonies they should belong".<sup>2</sup> This agreement was signed by both the agents and the danger to both charters was averted. Having settled this difficulty, Clarke was now ready to act. So well had he bespoken the royal patronage and gained the esteem of influential men, especially of the Earl of Clarendon, that on July 8, 1663, he obtained a charter completely confirming the Rhode Island boundary claims, and making concessions even more liberal than those granted to Connecticut.<sup>3</sup> In the following chapter allusion

<sup>1</sup>*R. I. C. R.* i, 490. These two petitions, although undated, are probably of the year 1662. See Arnold i, 280.

<sup>2</sup>*R. I. C. R.* i, 518. This terming the Pawcatuck, the Narragansett, was merely a compromise in order to conform to the wording of the Connecticut charter. This action of Winthrop's was subsequently disowned by Connecticut, upon the ground that his commission expired as soon as the charter was obtained. Such a disavowal, however, possessed no legal force when contrasted with the royal wish expressed in the explicit wording of the *R. I.* charter of 1663.

<sup>3</sup>The original documents for a study of Clarke's career in obtaining the charter may be found in *Calendar of State Papers, Colonial series, 1661-1608*, pp. 20, 110, 145, 148; *R. I. C. R.* i, 432, 485, 518, et passim; *5 Mass. H. S. Coll.* viii, 75-79, ix, 33, 37-44, 50-53; *R. I. H. S. Publ.* viii, 147; and Arnold, *Hist. of R. I.* i, 378-383. For an account of the imputation made upon Clarke's character by the historian Grahame, which later became the subject of a spirited controversy between Josiah Quincy and George Bancroft, see *Hist. Mag.* ix, 233; Quincy, *Memory of the late James Grahame vindicated*; Arnold, i, 370. and Palfrey, iii, 431. A letter of June, 1663, inimical to Clarke's interests, which was obtained from the King by one John Scot, is discussed in copious foot-notes in Palfrey ii, 564; Aspinwall, *Narragansett Patent*, p. 30; and in Arnold, i, 300, 383.

will be made to the reception and installation of this charter, and some attention will be given to its separate provisions.

Rhode Island had finally completed the first period of her colony existence, and could now look forward to the future with more confidence and hope. She had weathered the storms and hardships incident to the beginnings of all settlements, and though threatened with anarchy from within and oppression from without, she had held fast to the free and lofty principles that distinguished her from her neighbors. In spite of the warnings and forebodings of her incredulous Puritan opponents, in spite of their scorn and reviling, she persevered to the end, and clearly showed to them and to the world that a state *could* stand, even although it permitted a man to worship God as he saw fit.

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## CHAPTER VIII.

### FROM THE CHARTER OF 1663 TO KING PHILIP'S WAR.

The Rhode Island Charter of 1663, which doubtless contained more liberal provisions than did any similar instrument ever granted by a monarch, which was expansive enough to remain as Rhode Island's only basis of government for one hundred and eighty years, and which at the time of its death was the oldest constitutional charter in existence, is surely worthy of careful study. In the first place the Connecticut and Rhode Island Charters mark a great departure in the line of constitutional powers of government granted to those incorporated. Previous royal charters, outside of those of the proprietary type, intended merely the exercise of rights of trade and commerce. It was purely a commercial venture, entered into by the individual as proprietor or by the colony as a corporation. England had Spain's example of assisting such commercial projects and hoped to reap the same rich reward. It is doubtful if the Massachusetts Charter of 1629, which is the best type of the earlier colonial charters, intended the least exercise of governmental powers.<sup>1</sup> By 1663, however, the

<sup>1</sup>W. E. Foster, in a paper on the R. I. Charter of 1663, read before the R. I. Historical Society Nov. 13, 1888, thus summed up the opinions of those writers who had expressed themselves in regard to this much discussed subject; "First, those who take the ground that the Massachusetts Charter was essentially that of a trading corporation, including Gov. Hutchinson, George Chal-



commercial attitude of the colonies had considerably worn away. Immigration had set in, and persons sought out the New World for purposes far other than those of trade. The Massachusetts colonists, whatever may have been the intentions and desires of the home government, had construed their original grant as providing all powers of local self-government, and were rapidly adjusting it to suit their material welfare. Towns were incorporated, courts organized, taxes levied, laws enacted restricting civil and personal rights—and all without reference to the fountainhead of their authority, the English throne. Rapidly, indeed, had the powers of colony government developed in Puritan New England. So far were they advanced that we find the Connecticut grantees, according to their charter of 1662, authorized by the King to make virtually whatever laws they liked that were not “contrary to the laws and statutes of the realm of England”. In the following year came the charter of Rhode Island. Here we find a still further advance. In a similar manner Rhode Island law-makers could enact what laws they desired, “so as they be not contrary or repugnant unto the laws of this our realm of England”, and then comes the conditional and practically annulling clause “considering the nature and constitution of the place and people there”.

Under such a provision Rhode Island might as well have been an absolutely independent state. We should certainly be justified in asserting that English political thought had changed most strangely were it not for the fact that these liberal provisions were but in reiteration of the patent of 1644. The chief reason why the later instrument is remarkable and worthy of especial attention is that it was granted under the hand of royal authority. The parliamentary patent, to be sure, marked a forward step in political freedom, but it should be remembered that it was granted by a revolutionary government, at a time when allegiance to supreme authority was somewhat weakened and when the bestowal of favors was a necessary adjunct to the introduction of a new regime. The charter of 1663, however, had no such contributory aids to its establishment. That, with such an austere monarch as Charles II on the throne, it did pass the seals of the Royal Council, is as noteworthy as it was unexampled.

mers, James Grahame, Charles Deane, and Brooks Adams. Second, those who hold that the charter warranted the exercise of governmental powers under it, including Dr. Palfrey, Judge Parker, and Judge Aldrich. Third, those who hold a somewhat intermediate view, including Judge Chamberlain, J. A. Doyle and Geo. Ellis.” Mr. Foster himself rather favors Dr. Deane's view.



Even more notable than this grant of political power was the specific and absolute bestowal of perfect religious liberty. Although England refused religious toleration to her subjects, yet we find in this royal charter the following remarkable clause: "Our royal will and pleasure is, that no person within the said colony, at any time hereafter, shall be anywise molested, punished, disquieted, or called in question, for any differences in opinion in matters of religion, and do not actually disturb the civil peace of our said colony . . . any law, statute or clause therein contained, or to be contained, usage or custom of this realm, to the contrary hereof, in any wise, notwithstanding".<sup>1</sup> Rhode Island had gained what the mother country could not. That this grant excited some dismay among the more fearful of the English courtiers is true. Roger Williams, evidently referring to this provision, says: "This his Majesty's grant was startled at by his Majesty's high officers of state, who were to view it in course before the sealing, but, fearing the lion's roaring, they crouched, against their wills, in obedience to his Majesty's pleasure".<sup>2</sup> That which Charles was unwilling to bestow upon the great English nation, he did grant to the little insignificant colony beyond the seas. Thus unconsciously was he laying the foundation of what is now considered a fundamental principle in religion.

All the provisions of this charter were as free and as favorable to the grantees as the clauses relating to religion and to the limitation of political power. The government was to be vested in a governor, deputy-governor, ten assistants, and several deputies, who, meeting the first Wednesday in May and the last Wednesday in October, were to be styled the general assembly. The deputies were not to exceed six from Newport, four each from Providence, Portsmouth and Warwick, and two for each other town. This body was empowered to appoint new

<sup>1</sup>The identity of language of this clause with that of the famous "Declaration from Breda", is worthy of notice. General George Monk, in one of his communications to the King, dated in March, 1660, beseeched "his Majesty to declare his assent for a toleration and liberty of conscience to all his subjects, who should so employ it as not to give any disturbance to the civil government". A month later, from the little Dutch town of Breda, came the response, attested to by the royal signature, "We declare . . . *that no man shall be disquieted or called in question for differences of opinion in matters of religion which do not disturb the peace of the kingdom*". (Skinner's *Life of Monk*, p. 301, Echard's *Hist. of England*, ii, 897.) These significant words, which the King was scarcely ready to turn into deeds, were widely known to the English people at the time of their utterance. Clarke, eager to accept every opportunity to further his purpose, must have seized upon this clause and incorporated it, almost word for word, in the contemplated charter of his colony.

<sup>2</sup>Letter to Mason in *Narr. Club. Publ.* vi, 346.

meetings of the assembly, elect freemen, grant commissions, erect courts of judicature,<sup>1</sup> prescribe town boundaries, impose fines and punishments, declare martial law against any who attempted to invade or annoy the colony, and make whatever laws seemed necessary for the welfare of the inhabitants. The chief officers of the colony were to be annually elected by the general body of freemen attending the May session of the general assembly. Finally all present and future inhabitants were to enjoy the liberties and immunities of free and natural subjects of the realm of England, together with right of appeal to English courts, and provided they conducted themselves peaceably, could pass through the other colonies, any law of the said colonies to the contrary notwithstanding.

So far as boundaries were concerned, Rhode Island reaped the fruitful harvest of John Clarke's able negotiation. Thoroughly conversant with the numerous conflicting claims to the territory of his colony, he readily recognized that the clearest title lay in the fact that it was purchased from the Indians. This paramount right of the natives to their soil was set forth by him in his previous addresses to the King, and was safely embodied in the preamble to the charter. According to its specific terms, the grant was bounded on the south by the ocean as far west as the Pawcatuck River; on the west by the Pawcatuck River extending north as far as its head, and then by a straight line due north to the Massachusetts south line; on the north by the said south line; towards the east it extended three miles "to the east and northeast of the most eastern and northeastern parts of Narragansett Bay, as the said bay extendeth from the ocean on the south, unto the mouth of the river which runneth to the town of Providence", thence up the Seekonk River as far as the Pawtucket Falls, and thence by a straight line due north to the Massachusetts south line. In particular, the grant included Misquamicuk (alias Pawcatuck), the Island of Rhode Island, Block Island, and all the rest of the islands in Narragansett Bay and bordering on the coast (Fisher's Island alone excepted). One provision especially nullified any contradictory clause in the "late Connecticut grant", stating that the Pawcatuck River had been yielded by the agents of both colonies to be

<sup>1</sup>At the meeting of the Assembly in March, 1664, it was ordered that two General Courts of trials, presided over by either the governor, deputy-governor, and at least six assistants, should be held in May and October at Newport. Courts for cases to the value of ten pounds were to be held at Providence and Warwick in September and March respectively, at which at least three assistants should preside. Special courts might also be called at Newport at any time if sufficient cause was shown.

the fixed bound between the colonies. Both agents had agreed, the charter goes on to state, that the Pawcatuck River should also be called the Narragansett River, and merely to prevent further disputes, should be so deemed in the Connecticut charter. The detail of these boundary lines has been entered into somewhat minutely, since the phraseology of the instrument in this respect formed the basis of a great deal of Rhode Island's history for the next half-century. Suffice it to say that had the colonies with whom Rhode Island disputed held to the exact language of this instrument so carefully and skillfully worded by John Clarke, boundary controversies would not have played so important a part as they did in the colony's history. No charter ever granted, with regard to boundaries as well as to the liberties and immunities accorded to the grantees, has reflected more credit on its author.<sup>1</sup>

The elaborate reception of the charter reminds one of the triumphal return of Williams with the Patent of 1644. Thus reads the old record: "At a very great meeting and assembly of the freemen of the Colony of Providence Plantations, at Newport, in Rhode Island, in New England, November the 24, 1663. The abovesaid assembly being legally called and orderly met for the solemn reception of his Majesty's gracious letters patent unto them sent, and having in order thereto chosen the President, Benedict Arnold, moderator of the assembly.

"It was ordered and voted, *neme contra decente*. 1. That Mr. John Clarke, the Colony agent's letter to the President, assistants and freemen of the Colony, be opened and read, which accordingly was done with delivery and attention. 2. That the box in which the King's gracious letters were enclosed be opened, and the letters with the broad seal thereto affixed, be taken forth and read by Captain George Baxter in the audience and view of all the people; which was accordingly done, and the said letters with his Majesty's royal stamp, and the broad seal, with much becoming gravity held up on high, and presented to the perfect view of the people, and then returned into the box and locked up by the Governor, in order to the safe keeping of it. 3. That the most humble thanks of this Colony unto our gracious sovereign Lord, King Charles the second, of England, for the high and inestimable, yea, incomparable grace and favor unto the colony, in giving these his gracious letters patent unto us, thanks may be presented and returned by the Governor and Deputy Governor, in the behalf of the whole Colony".

<sup>1</sup>The Charter itself is printed in *R. I. O. R.* II, 3-21, and elsewhere.

Block Island, as has previously been noted, was joined to Rhode Island in the charter. After the murder of Captain Oldham in 1636, this island had been taken by Massachusetts "by right of conquest", and October 19, 1658, was granted to John Endicott, Richard Bellingham, Daniel Denison and William Hawthorne as a recognition for their efficient services to their colony. But the territory was remote and not very desirable, and in 1660 was sold to a company of Massachusetts men. After considerable discussion as to ways and means, they decided to remove there, and by 1662 a settlement was begun. Such was the condition of affairs at the time of the granting of the Charter of 1663. The island, though settled by Massachusetts Puritans, naturally belonged to Rhode Island on account of its location. At any rate, the King saw fit to include it within Rhode Island territory, and as the settlers themselves never protested, no controversy as to former possession arose.<sup>1</sup>

Soon after the arrival of the charter, at the March session of 1664, the General Assembly informed the inhabitants of Block Island that they were henceforth under Rhode Island jurisdiction. At the following session, it admitted several of the islanders as freemen, appointed selectmen with power to try causes not exceeding forty shillings, told them that "no person should be molested for any difference of opinion in matters of religion", and gave them liberty to send deputies to the General Assembly. After some slight embarrassment in becoming accustomed to their new government, they began to enter into colony life, accept the colony's assistance and pay colony taxes. In 1672, they were incorporated by the General Assembly as the Town of New Shoreham, the sixth town, in point of time, to be received into the colony. They received a charter empowering them to choose town officers, and henceforth, so far as their colony relations were concerned, lived the quiet and untroubled life that their remoteness made possible.

In the Narragansett country, the state of affairs was different. The controversy, apparently settled with unmistakable clearness by the Charter of 1663, was only just begun, and remained unsettled until over half a century had passed away. As soon as Connecticut had

<sup>1</sup>For the early history of Block Island, see the historical sketches by Livermore, Sheffield, and Beckwith; also *Mass. Col. Rec.* iv, pt. 1, 356. Massachusetts in March, 1664, included Block Island among those lands which were subject to controversy (*Extracts from Mass. MSS.* 1, 237, in R. I. H. S. Lib'y), and John Alcock petitioned the Royal Commissioners in 1665 that, as Block Island had submitted to Rhode Island, he might not be dispossessed of his purchase (*R. I. C. R.* II, 128). No attempt, however, seems to have been made by Massachusetts to question the King's dictum.

received her charter, the Federal Commissioners immediately wrote to Rhode Island, in September, 1662, that according to the King's pleasure, the lands at Pawcatuck and Narragansett now belonged to Connecticut. Rhode Island replied that the charter in question had been procured "by a underhand dealing, and that the power that granted doth so resent it, being now fully informed of the sleights used by those that did purchase the same", and William Brenton wrote Connecticut, imploring that the difference should be "composed in peace and friendship".<sup>1</sup> Nothing further seems to have been done until July, 1663, when the Atherton Company at Narragansett took decisive action by submitting themselves to Connecticut jurisdiction. Connecticut, in her letter of acceptance, appointed officers for "the plantation at Mr. Smith's trading-house", urged "that the said plantation be settled with such inhabitants as may promote those religious ends mentioned in our Charter", and ordered that the place should henceforth be called by the name of Wickford.<sup>2</sup>

As soon as Rhode Island received her charter making the Narragansett country a part of her soil, she immediately took action upon these questions of territorial jurisdiction. At the first general assembly held after its arrival, in March, 1664, she summoned the intruders at Narragansett to answer for their conduct at the next meeting of the Court, and also wrote a letter to Connecticut complaining of the molestation of Rhode Islanders at Westerly and giving notice of the intention to run the western line. Connecticut, busy with the settlement of her own internal affairs, paid no attention to this letter, nor to subsequent complaints made by her subjects at Wickford, of Rhode Island aggressiveness. Again did Rhode Island write in July, 1664, requesting a reply to her former letter, and expressing surprise that Connecticut should exercise authority at Narragansett in view of the King's decision as to the bounds of that country. Again did those at Wickford complain, asserting "Our own inhabitants begin much to

<sup>1</sup>*Plym. Rec.* x, 288; *R. I. C. R.* i, 495; *Extracts from Conn. MSS. relating to R. I.* i, 5, in R. I. H. S. Library.

<sup>2</sup>*Ext. Conn. MSS.* i, 10, 12; *Conn. Rec.* i, 407. This submission was in accordance with the third provision of the Winthrop-Clarke agreement, although the Atherton partners in a later letter, stated that Connecticut was the "place we desired to be under before ever the charter was granted, as may be manifest by our desire to your Governor before his going to England". (*Ext. Conn. MSS.* i, 13.) Wickford received its name from Wickford, Essex Co., England, which was the early home of Elizabeth, the wife of Gov. John Winthrop, of Connecticut. (See *Mass. Hist. Soc. Proc.* xiii, 250; Potter's *Early History of Narragansett*, 1886 ed., p. 415.)

desert your interest . . . the government of Rhode Island takes advantage, we conceive, by your silence and slowness to action''.<sup>1</sup>

At last Connecticut realized that, if she wished to obtain the Narragansett country, she must take immediate action. In a letter to Rhode Island of July 20, she requested that that colony should refrain from exercising jurisdiction over the Atherton men, who had merely carried out one of the provisions agreed to by John Clarke. She further suggested that before the colony line was run, a meeting of arbiters should be held to consider their respective claims. To this Rhode Island agreed, and in October commissioners were appointed by both colonies to settle the boundary disputes, the Connecticut act of appointment providing that "the said Committee shall not give away any part of the bounds of our Charter". Before this joint commission, which on account of the Connecticut proviso could never have accomplished anything, could make arrangements for a meeting, the news arrived that the Royal Commission appointed by the King early in 1664, was about to visit Rhode Island, and all eyes were turned toward this event.

This Commission, consisting of Colonel Richard Nicolls, Sir Robert Carr, Colonel George Cartwright, and Mr. Samuel Maverick, were appointed to reduce the Dutch at New Amsterdam, to gain information about the general condition of the New England colonies, to settle all colonial disputes, and to define the boundary lines of the several chartered jurisdictions, subject, however, to the approval of the King. Arriving at Boston in July, 1664, they soon sailed for New Amsterdam, where they settled several controversies in that vicinity, then returned east to visit Plymouth, and entered Rhode Island in March, 1665.<sup>2</sup> Their arrival meant a great deal to the colony. The coincidence of Rhode Island views with the expressed wishes of the King's representatives, together with the gratitude felt for the granting of the colony charter, made the assurances of allegiance a pleasure rather than a duty. Those of the commissioners who had visited the colony on their way to New York had been entertained as well as possible, and were "pleased to accept that poor expressions of ours as season afforded"; while to Nicolls was written a letter, acknowledging the receipt of the King's behests, desiring a full and equal hearing concerning the Narragansett country, and professing devotion to the King and his representatives.

<sup>1</sup>*Ext. Conn. MSS.* 1, 40, which contains all this contemporary correspondence. Some of the letters are printed in *R. I. Col. Rec.* and most of them are referred to in Bowen's *Boundary Disputes of Conn.* pt. 2.

<sup>2</sup>The details of their stay in New England, although prejudiced wherever Massachusetts is concerned, is best given in Palfrey, v. 2, chap. 15.



The method taken by the commissioners in deciding the title to the Narragansett country was perhaps the wisest that could have been devised. The submission of the Indian sachems procured by Gorton in 1644 was made the basis of a decision whereby the whole country was taken possession of in the name of the King, legally named King's Province, and declared to extend as far west as the Pawcatuck River. The pretension of the Atherton Company to the territory by virtue of their grand mortgage was declared void, as were also both their purchases from the Indians in 1659, in which there was "no mention of any consideration".<sup>1</sup> In addition they ordered that the governor, deputy-governor and assistants of Rhode Island should serve as magistrates throughout the Province. At Misquamicuck, likewise, they decided that all grants of land made by Massachusetts or by "that usurped authority called the United Colonies", to any person whatsoever, were void. An added rebuff was given to Massachusetts in the declaration that "no colony hath any just right to dispose of any lands conquered from the natives, unless both the cause of that conquest be just, and the lands lie within those bounds which the King by his charter has given it".<sup>2</sup>

Another duty for the commissioners to perform was the decision as to the line between Plymouth and Rhode Island. Shortly before their arrival, in June, 1664, Plymouth had complained to Rhode Island of intrusions upon her territory, and in October following the latter colony answered by proposing the appointment of a committee who should determine as to the boundaries. All negotiations, however, ceased upon the return of the royal commission from New York. Rhode Island appointed three men to appear before that body at Seeconck on February 27, 1665, when the subject was to come up for decision. But the commissioners could come to no definite settlement since, as they stated in their report, Rhode Island claimed a strip three miles in breadth bordering upon Narragansett bay, which Plymouth could not yield without great prejudice to her interests. Accordingly they established the "water" as the natural bounds between the two colonies until the King's pleasure should be further known.<sup>3</sup> Unfortunately the Rhode Island charter had not settled the boundary with unmistakable clearness. The phrase "extending three miles to the

<sup>1</sup>*R. I. H. S. Coll.* iii, 179-182. The purchasers were also ordered to quit their habitations by the following September, which order, however, was later remanded.

<sup>2</sup>*Idem*, p. 262.

<sup>3</sup>The early negotiations are in *R. I. C. R.* ii, 74, 90, the report of the commissioners in ii, 128, and the letter to Clarendon in ii, 164.



east and northeast of the most eastern and northeastern parts of Narragansett Bay'' was one that would take considerable arbitration to be satisfactorily determined. The Rhode Island claimants certainly had strong arguments, in alluding to the proximity of the strip in question and its fitness to belong to their jurisdiction, to support their request that the charter should be interpreted most favorably to them. In their letter to Lord Clarendon, in September, 1666, giving seven reasons why the eastern line should be settled ''according to the meaning and letter of the charter'', they state that the land opposite the whole length of the Island of Rhode Island had never been improved by Plymouth, that it could not be fortified by Plymouth on account of its remoteness, and that the inhabitants already there had formerly lived and were still desirous of living under Rhode Island jurisdiction. However strong were the arguments brought forward, the decision remained unrendered for many years. Occasionally a clash as to jurisdiction would cause an exchange of letters, but it was not until nearly a century had passed that the line was finally determined upon by royal order.

Yet a third Rhode Island controversy was to be presented before the commissioners during their stay. Gorton and his companions, after having in vain sought reparation for the losses inflicted by the Massachusetts men twenty years before, addressed a ''humble petition'' to the commission at the time of their arrival in Rhode Island. In this they briefly summed up the many wrongs they had suffered during their capture and imprisonment, and made especial mention of the damage inflicted by the petty sachems who lived at Warwick under color of Massachusetts authority.<sup>1</sup> The commissioners soon paid attention to their petition by ordering, on April 7, 1665, that Pumham and his Indians should remove from Warwick Neck within a year.<sup>2</sup> But to obtain any redress from Massachusetts, opposed in every way to the commission and dreading the least interference with their self-

<sup>1</sup>*Mass. Rec.* iv, pt. 2, 253. Their letters to Mass. and to the United Colonies, setting forth their claims and giving notice of their intention to appeal to the King, are in *R. I. H. S. Coll.* ii, 217, 224.

<sup>2</sup>The town of Warwick was to pay Pumham twenty pounds for his removal. Sir Robert Carr, on his return to Rhode Island in December, 1665, found that the Indians had not yet removed, and only by doubling the bribe could he oust them. John Elliot, instigated doubtless by Massachusetts authorities, wrote an ill-timed letter of intercession in Pumham's behalf, which, together with other transactions, led Carr to assert that the Bay magistrates were ''unwilling to let the people in these southern parts rest under his Majesties government''. Roger Williams also, who was misinformed as to the matter, wrote urging pacification. (All this correspondence is in *R. I. C. R.* ii, 132-138.)

assumed domination over New England, was quite another matter. The request for an answer upon the subject from the General Court brought forth a wordy and abusive reply that scarcely gave promise of any reparation. Cartwright, discouraged with the general opposition against the commission, wrote to Gorton: "These gentlemen of Boston would make us believe that they verily think that the King has given them so much power in their charter to do unjustly, that he reserved none for himself, to call them to an account for doing so. In short, they refuse to let us hear complaints against them, so that, at present, we can do nothing in your behalf. But I hope shortly to go for England, where, if God bless me thither, I shall truly present your sufferings and your loyalty".<sup>1</sup>

The final duty of the commissioners was to submit to the colony a set of five proposals similar to those which had been offered to Plymouth and Connecticut, and which with certain reservations regarding the religious clause had been accepted. These proposals, which were acted upon by the General Assembly in May, 1665, were as follows:

"1. That all householders inhabiting this Colony take the oath of allegiance, and the administration of justice be in his Majesty's name.

"2. That all men of competent estates and of civil conversation, who acknowledge and are obedient to the civil magistrate, though of differing judgments, may be admitted to be freemen, and have liberty to choose and to be chosen officers both civil and [military].

"3. That all men and women of orthodox opinion, competent knowledge and civil [lives], who acknowledge and are obedient to the civil magistrate, and are not scandalous, may be admitted to the sacrament of the Lord's Supper, and their children to baptism, if they desire it; either by admitting them into the congregations already gathered, or permitting them to gather themselves into such congregations where they may enjoy the benefits of the sacraments, and that difference in opinion may not break the bands of peace and charity.

"4. That all laws and expressions in laws derogatory to his Majesty, if any such have been made in these late troublesome times, may be repealed, altered, and taken off.

"5. That this Colony be put in such a posture of defense, that if there should be any invasion upon this Island or elsewhere in this Colony (which God forbid), you [may in] some measure be in readiness to defend yourselves; or if need be, to relieve your [neighbors] according to the power given you by the King in your Charter, and to us in this commission and instruction".

Upon these proposals, the assembly "in a deep sense of his Majesty's most royal and wonderful grace and favor more particularly expressed

<sup>1</sup>R. I. H. S. Coll. II, 246; Mass. Rec. IV, pt. 2, 274.

in his gracious Charter'', took most favorable action. To the first they assented, only substituting in place of the ''oath'', an ''engagement'' of similar purport and equal binding force. With the second and third proposals, which provided for complete religious toleration, the assembly most heartily concurred, declaring that ''as it hath been a principle held forth and maintained in the colony from the very beginning thereof, so it is much on their hearts to preserve the same liberty to all persons within this colony forever''. To the fourth and fifth proposals, the assembly gave their cheerful consent, passing in accordance with the last, a complete militia law which required frequent trainings, pay for service, individual ownership of ammunition, and maintenance of town magazines.<sup>1</sup>

The work of the commissioners in Rhode Island was completed. In no colony had their proposals been so willingly accepted. In no colony were they themselves so heartily welcomed. Their requests and demands were in perfect unison with those principles which Rhode Island had maintained from the beginning—liberty of conscience, opposition to a New England oligarchy controlled by Massachusetts, and allegiance to the mother country to which Rhode Island owed so much. With such impartial and powerful friends, it is needless to say that Rhode Island's ''demonstrations of loyalty and obedience'', to which the commissioners especially referred to in their report, did not go unnoticed among those who administered the affairs of the colonies.

Scarcely had the commissioners departed from Rhode Island, when there arose in Providence one of the most bitter local quarrels that the colony had ever witnessed. Although a study of it belongs to local, rather than to colony history, yet a brief allusion to the dispute is helpful in order to show the general ineffectiveness of both town and colony government. Almost from its very foundation, Providence had been disturbed with contention over the vaguely worded boundaries of Roger Williams's original deed. The great body of proprietors, led by William Harris, asserted that the clause ''up the stream of Patuckett and Patuxet without limits we might have for our use of cattle'' in the ''memorandum'', gave to them, not the mere right of pasturage, but a fee simple in all the territory as far west as twenty miles—to what was later the Connecticut line. Through Williams's deed to them of the ''Pawtuxet lands'' in 1638, they claimed that all this territory was vested in them, and by means of liberal gratuities, obtained from the degenerate heirs of Canonicus and Miantonomo ''confirmation deeds'' of both lands and rights of pasturage as far west as

<sup>1</sup>*R. I. C. R.* ii, 110-118.

twenty miles from Fox's hill. Williams, on the other hand, solemnly asserted that "the great Sachems never gave me, nor did I give to any, a foot beyond those known stated bounds fixed us in our grand original deed, to wit, Pawtuckcut, Notaquonckanit, Mauhapog, and Pawtuxet, which at the furthest the Sachems would never suffer to extend beyond Paupauquunnuppog, far short of W. Harris's being at Pauchasit, which was ever accounted by the Indians a violation".<sup>1</sup> He always spoke bitterly and invectively of this "rawming for up streams without limits" and said that such a boundary was "a terrible Beast, not only tearing our peace and neighborhood in pieces, but spits fire and spreads fire and sets the towns on fire, and the whole colony also, unless the merciful Lord please most wonderfully to quench it".<sup>2</sup>

This variance, engendering many minor disputes, had been the cause of much disturbance at town meetings for many years, but it remained for the lull succeeding the departure of the royal commissioners from Rhode Island for it to break out again with renewed virulence and force. On June 3, 1667, at the Providence town meeting for election of officers, a wordy controversy arose as to the qualification of voters. The meeting split into two factions, headed by Arthur Fenner and William Harris, and chose two respective sets of deputies for the general assembly. The Fenner party immediately addressed a vituperative document, called "The Firebrand Discovered", to the other towns, in which they gave their side of the story and incidentally visited much opprobrium on the said Harris.<sup>3</sup> That gentleman then procured of the Governor the calling of a special session of the assembly to test his case and to bring Fenner to trial. If he hoped to better his cause by such action, he must have been sadly disappointed. For the assembly quickly accepted the deputies chosen by virtue of Fenner's warrant, cleared Fenner himself of all charges against him, and discharged Harris from the office of assistant. In addition, upon the petition of the town of Warwick,<sup>4</sup> they fined him fifty pounds for

<sup>1</sup>*R. I. H. S. Publ.* viii, 158.

<sup>2</sup>*R. I. Hist. Tract*, xiv, 35. Even if we adopt Williams's idea of the original boundary as correct and morally just to the Indians, we must acknowledge that the more liberal construction placed upon the vague wording by the proprietors prevented the intrusion of alien purchasers into the territory in question and preserved it intact to be included under the Rhode Island charter of 1663.

<sup>3</sup>A copy of this document is in *Copies of Warwick Records*, p. 15, in the R. I. Hist. Soc. Library.

<sup>4</sup>Harris had earned the enmity of Warwick both through personal disputes over land and through his activity in collecting the rate for paying John Clarke. Warwick objected to this rate, giving several rather insufficient

putting them to the expense of calling an assembly at such a busy season of the year.

The Fenner party had won a complete triumph, which was, however, to be short lived. Harris, undoubtedly through his influence with the Quakers, was reinstated in his office of assistant at the following May elections of 1668, and Fenner was dropped. Governor Brenton refused to qualify him, but Deputy-Governor Easton, a Quaker, willingly administered the engagement.<sup>1</sup> Harris was not yet satisfied. Through a letter of complaint addressed to Col. Nicolls, one of the royal commissioners, he induced that official to make a protest against the fine previously imposed upon him, as being unprecedented in English law. The general assembly immediately remanded the fine.<sup>2</sup> Letters and protests now followed in rapid succession, Roger Williams writing vituperatively about Harris, Warwick vigorously protesting against the "contrary deportment of others", and Governor Brenton bewailing the general disorder and imploring peace.<sup>3</sup> At last Brenton could stand it no longer. In March, 1669, he wrote to the various towns, complaining of attacks upon his property and of discouragements offered to him in public office, and requested that they should "pitch on some other person that might be more serviceable to the Colony". Accordingly, at the next May election, Benedict Arnold was chosen Governor. Through all this turmoil, Harris remained in the office of assistant, took part in the most important meetings of the governor and council, and was reinstated in his old position of chief gatherer of the John Clarke rate of 1664. His triumph is all the more remarkable in view of the fact that his designs with Connecticut against Rhode Island ownership of Narragansett territory were already suspected.

The disputes at Providence continued with unabated vigor, rendering the townsmen incapable of transacting their own affairs and preventing their aid in the management of colony matters. The general assembly, in October, 1669, was finally forced to take action. "Sadly resenting the distractions amongst our ancient, loving and honored neighbors of the town of Providence, and finding that the cause of the aforesaid inconveniences ariseth from disagreement about divisions

reasons (*R. I. C. R.* ii, 78, 142,) which drew forth from Roger Williams one of the finest and most powerful letters that he ever wrote. (In *R. I. H. S. Publ.* viii, 147. See also Arnold i, 325, 336, and *Copies of Warwick Records*, p. 10, 13, 14, 18, in *R. I. Hist. Soc. Library*.)

<sup>1</sup>*R. I. C. R.* ii, 223, and Arnold i, 335.

<sup>2</sup>*Idem*, ii, 284, 287.

<sup>3</sup>*Prov. Rec.* xv, 117, 118, 120, 121, 124; *Copies of Warwick Records*, p. 8, 19-22; and *Moses Brown Papers*, xviii, 117, in *R. I. Hist. Soc. Library*.

of lands", they appointed a committee of five men to repair to the town and at a meeting of all the inhabitants to persuade them to compose their differences by arbitration. This having been done, a meeting of the freemen was to be called, in which all the town officers should be elected and a set of deputies chosen for the assembly.<sup>1</sup> This laudable attempt at a settlement completely failed. Neither party would brook interference which in any way compromised their titles to property. The assembly, at the March session in 1670, sadly alluded to the failure of the committee, and appointed two men to ascertain who were the legal voters of Providence, in order that a town meeting should be held for election of officers and deputies to the succeeding assembly. Again there was a dispute at the May session, and we learn from the assembly record that "whereas, there was a difference about the choice of the second assistant for Providence, between Mr. William Harris and Capt. Arthur Fenner, which of them was chosen, and they both being not very free to accept upon so doubtful terms, therefore by the assembly Mr. Roger Williams is chosen assistant".

Thus the dispute went on. The assembly took no further action toward officially settling the matter and Providence town meetings continued to be beset with land controversies, which, however, diminished in force as the landed proprietors gradually gained the ascendancy over the smaller holders. Williams's protest against the enlarged construction of the original grant found few to favor it, and after the great King Philip war came to discredit all Indian rights and claims, was scarcely ever revived. The proprietors continued to draw lots for vacant lands and dispose of it to their best advantage, while the few who opposed such proceedings could never gain enough power to make their voices heard. The whole controversy as alluded to in these pages merely shows the general disregard of restraint by law and the lack of a strong, centralized authority in Rhode Island. Thus the town, filled as it was with party factions and bickering spirits, could receive but little help from a legislative body that could make laws, but not enforce them.

Several allusions have already been made to the influence attained by the Quakers in Rhode Island. The refuge offered them at Newport at their first coming into New England they had turned into a stronghold, gradually gaining converts to their belief, acquiring control of town affairs, and making their weight felt in colony elections. For five years in succession—from 1672 to 1676—they had filled the governor's chair, and several men in the northern part of the colony, like

<sup>1</sup>*It. I. O. R.* II, 289. Dorr, *Prov. Proprietors*, p. 97-99.



William Harris and others, had discovered the beneficent results of adopting their principles. Roger Williams, although strongly opposed to the tenets of the Quakers, yet in consistence with the distinctive Rhode Island principle of religious toleration, always considered them his political equals. He managed to hold aloof from all discussion and controversy as to doctrine, until the arrival of their great leader, George Fox, led many of the "orthodox faith" to regard with favor the new belief. In company with some of his disciples, Fox left England to visit America, and finally reached Newport in May, 1672, where he became the guest of Governor Easton. Here he found much satisfaction with his reception, with the progress of the faith, and with the meetings to which people "flocked in from all parts of the island". As to the results of his journey to Providence, however, he was more fearful. The people there, he said, "were generally above the priests in high notions", and since some came to his meeting on purpose to dispute, he was "exceeding hot, and in a great sweat. But all was well, the disputers were silent, and the meeting quiet".

A few days after his return to Newport, Williams challenged him to a public discussion of fourteen specific points of Quaker doctrine, seven to be debated upon in Newport and seven in Providence. The challenge was accepted, not by Fox, who, according to Williams, "slily departed", but by three of his disciples. The date set was August 9th, and Williams, after performing the extraordinary physical feat of rowing down the bay within a single day, entered the lists with unimpaired vigor. After a three days' rather disorderly session at Newport, the parties adjourned to Providence, where they finished the debate. Since each side was apparently well satisfied that it had won the victory, Williams soon published a lengthy volume with the punning title, "George Fox digged out of his Burrowes". Fox, with his disciple Burnyeat, immediately replied with a treatise having the equally graphic title "A New England Firebrand Quenched". Few of even the most assiduous antiquaries would have the courage to toil through the accounts of this weary and profitless dispute. The point to be especially noticed by the historical student of to-day is the fact that these hair-splitting discussions over religious doctrine were more momentous to the people of that period than were ever debates on political subjects. The controlling element of religion in social life, and hence its importance as a factor in legislation and the making of history, is a matter that must never for a moment be overlooked.<sup>1</sup>

<sup>1</sup>The authorities for this dispute and the events leading up to it may be found in the Journal of the life of G. Fox; Journal of the life of Wm. Ed-



George Fox  
Diggd out of his  
Burrovves,  
Or an Offer of  
DISPUTATION

On fourteen *Proposalls* made this last Summer 1672 (10 cal.)  
unto G. F. then present on *Rode-Island*  
in *New-England*, By R. W.

How (G. Fox fly departing) the Disputation went on;  
being managed three dayes at *Newport* on *Rode-Island*, and  
one day at *Providence*, between *John Smith*, *John Furber*, and  
*William Edmondson* on the one part, and R. W. on the other.

In which many *Quotations* out of G. Fox & Ed. Burrovves Book  
in *Folio* are alleadged.

Plus WITH AN *Apoke*  
A P E N D I X

Of some scores of G. F. his simple lame Answers to his Oppo-  
sites in this Book, quoted and replied to  
By R. W. of *Providence* in N. E.

B O S T O N  
Printed by *John Foster*, 1 6 7 6.

TITLE PAGE OF ROGER WILLIAMS'S ANSWER TO GEORGE FOX  
FROM THE ORIGINAL IN THE LIBRARY OF THE RHODE ISLAND HISTORICAL SOCIETY

Affairs in the Narragansett country remained in a strangely settled state after the verdict of the royal commissioners had placed that territory under the control of the Rhode Island magistrates. Connecticut seemed willing to allow the decision to stand unquestioned, and when one John Crandall, in 1667, illegally laid out some land on the west side of the Pawcatuck, she immediately complained of the encroachment, but never even alluded to any claim upon the east side of the river. Thus matters might have indefinitely remained and the boundary decided according to the wording of the Rhode Island charter had not that same old spirit of discontent with Rhode Island institutions again cropped out within her territory. Twice had Richard Smith and his companions beseeched Connecticut to assume jurisdiction over them, chiding her for not taking more active interest in their behalf. So again, on May 4, 1668, we find Hudson, Smith and the other inhabitants of Wickford begging Connecticut to "assume her power and to afford us protection . . . we being not able to live either in our civil or ecclesiastical matters without government".<sup>1</sup> Dissatisfied with the factious Rhode Island government, and especially provoked by the absence of a state protected church, these alien inhabitants of Narragansett much desired to be under the strong ecclesiastical government of Connecticut. Thus importuned, that colony soon renewed her claim to Narragansett Bay and appointed agents to treat with Rhode Island. But matters were not proceeding fast enough to suit the Wickford men. Again, in October, 1668, they write, "At present being without government we crave you will be pleased to consider our former petition and take us under your wing, that so we may know whither we have recourse for justice; and also to appoint such as in your wisdom you think meet to be ministers of justice amongst us, which our necessity requires, for we cannot be content to live under an anarchy".<sup>2</sup> Connecticut, however, did not quite yet dare to take such summary action in view of the recent decision of the commissioners, and answered by proposing a mutual treaty.

For over a year several fruitless attempts at arbitration were made. Connecticut's feeble claim was still further weakened by the firm and

mundson; *The Truth Exalted*, *Memoirs of J. Burnyeat*; and the volumes mentioned in the text above. See also *Narr. Club. Publ.* vi, 357-362, and Prof. Diman's excellent introduction to the reprint of Williams's treatise in v. 5 of *Narr. Club Publ.* In the *R. I. Hist. Soc. MSS.* i, 18, 21, is a paper written July 25, 1672, to Thomas Olney, jr., and John Whipple, jr., entitled "George Fox's Instructions to his Friends", and also a lengthy and condemnatory reply made by Olney in a paper called "Ambition Anatomized."

<sup>1</sup>*R. I. C. R.* ii, 227. The complaint concerning Crandall is in *Idem*, p. 226.

<sup>2</sup>*Idem*, p. 230.

honorable position taken by Governor Winthrop, who in a letter to his assembly, May 17, 1670, publicly voiced his "dissent from exerting power of jurisdiction over the people of the east side of the Pawcatuck River and Narragansett Country, until his Majesty's pleasure be further known".<sup>1</sup> But Connecticut was now firmly decided upon enforcing her claim, and made ready for the approaching meeting of agents at New London, on June 16, 1670. The proceedings of this meeting, which at the suggestion of Rhode Islanders, were conducted entirely in writing, occupied three days and included seventeen letters and replies. Connecticut claimed the Narragansett country since her prior charter of 1662 granted territory as far east as the Narragansett River or Bay. Rhode Island replied that the King, in her charter of 1663, had expressly determined that the Pawcatuck River should be the westerly bounds of Rhode Island, and had especially vetoed the clause in the Connecticut charter by referring to the Winthrop-Clarke agreement. The whole argument for the two days was given over to a discussion of the exact meaning of the term "Narragansett River", and since neither colony would yield an inch and Connecticut would not recognize the decision of the royal commissioners, it was but natural that the results of the conference should be absolutely fruitless.<sup>2</sup>

The Connecticut authorities then publicly proclaimed their authority at Wickford and Westerly, meeting with little opposition. The Rhode Island assembly immediately met in special session and took measures to defend their colony against the invasions of Connecticut. The issue was now fairly joined. The display of arms, the arrest of Westerly officers, and the threats of violence, drew forth from Governor Arnold a long and dignified letter to Governor Winthrop, in which he urged moderation and requested that Connecticut should forbear jurisdiction east of the Pawcatuck until the whole matter should be settled by the King. Such high-handed action, indeed, was frowned upon by many high in Connecticut authority. Winthrop had already dissented, and now, on August 3, 1670, Lieutenant-Governor John Mason wrote to the agents, counselling an "agreement in some rational way", and questioning whether the territory in dispute was worth the expense of trying to acquire it.<sup>3</sup>

<sup>1</sup>*R. I. C. R.* ii, p. 311.

<sup>2</sup>The details of the conference, together with much previous and subsequent correspondence, are in *R. I. C. R.* ii, 309-328.

<sup>3</sup>His letter (in *R. I. C. R.* ii, 348) was written as a result of a letter from Roger Williams (in *Narr. Club Publ.* vi, 333, *1 Mass. Hist. Soc. Coll.* i, 275, and elsewhere). Williams told Mason that the cause of the trouble was, first, "a depraved appetite after great portions of land in this wilderness", and, second, "an unneighborly and unchristian intrusion upon us, as being the weaker, contrary to your laws, as well as ours."

The whole affair now settled down to a stubborn struggle. Every fresh act of violence would call forth a complaint and reply, and then each colony would appoint a new commission of arbiters, whose work was sure to be in vain. In one of her letters, Rhode Island said, "to be plain and clear, in few words, we must tell you that we have no power to alter, change, or give away any part of the bounds prescribed and settled by his Majesty in his gracious letters Patents". Connecticut quickly replied, "We must needs say, if in your former you had dealt as plainly, we should never have given ourselves the labor and trouble we have had on that account".<sup>1</sup> With such an unyielding spirit shown on both sides, it is no wonder that arbitration was futile.

Connecticut had now a powerful ally in Rhode Island in the person of William Harris. In a letter to the general assembly, which seems to have come to their notice in February, 1672, he strongly opposed the sending of an agent to England, and then proceeded to give copious reasons why Rhode Island's claim to the Narragansett country should not be pressed. His long arguments in favor of Connecticut so angered the Rhode Island authorities who were striving to keep the lands as bounded by the terms of their charter intact, that they had Harris haled before the Court of Justices at Newport, where they committed him to prison without bail, upon the charge of speaking and writing against the charter. But upon the advent of the Quakers to supremacy as a political party, in April, 1672, Harris was released and later restored to office.<sup>2</sup> His arguments, fortified with much show

<sup>1</sup>*R. I. C. R.* ii, 422, 432, under dates of Nov. 4, 1671, and Jan. 29, 1672.

<sup>2</sup>Harris's document is filed in the Ct. Rec. under the apparently wrong date of Oct. 1666. (See copy in *Extracts from Ct. MSS.* i, 49-67, in R. I. H. S. Library.) An original draft in Harris's handwriting, in the *R. I. H. S. MSS.* i, 17, is followed by a copy of the order for his arrest dated February 24, 1671-72, and is endorsed "This the copy of that for which I was imprisoned and tried for my life". Harris's action in the matter is open to much doubt and controversy. There were many in Rhode Island, to be sure, who favored his views, as may be shown from the course of events. On Sept. 25, 1671, the assembly, strongly pro-Rhode Island, appointed John Clarke to go to England on the Narragansett business and levied a rate of £200 for his expenses. Then came Harris's protest, and his consequent arrest and imprisonment for treason, Feb. 24, 1672. In April, the assembly met, refused to receive a paper from Harris, renewed the tax for Clarke, and passed a high-handed act, ordering that all who opposed any rate laid by the assembly should be bound over to the Court of Trials for "high contempt and sedition". (*R. I. C. R.* ii, 411, 429, 435, 439.) The following month, there came a great political upheaval. Easton was chosen governor in place of Arnold, Smith and Brinley were elected assistants from Narragansett, and scarcely a member of the former assembly was retained. It was an alliance of the moderate Quaker element with the pro-Connecticut element in Narragansett. They immediately proceeded to undo the work of their predecessors, repealing the sedition act and the rate for Clarke, and writing a conciliatory letter to Connecticut. (*Idem*, p. 450-461.) The spirited protests, however, sent in by the people of Warwick

of legal reasoning, brought about a more conciliatory attitude toward Connecticut, prevented the immediate sending of an agent to London, and undoubtedly did much to hinder the settlement of the Narragansett controversy in Rhode Island's favor. The whole dispute, however, was temporarily obscured by the preparations for King Philip's War, after which, under somewhat changed conditions, it again broke forth, to annoy both colonies for a long series of years.

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## CHAPTER IX.

### FROM KING PHILIP'S WAR TO THE COMING OF ANDROS, 1675-1686.

Rhode Island was about to enter upon a period that was to affect her prosperity and retard her economic growth more than any other series of events in her previous history. The fear of an Indian uprising, so long dreaded, yet scarcely expected by the colonists, was soon to be realized. As the English increased in numbers and hewed their way further and further into the forests, establishing boundaries for large tracts of land, and introducing a new civilization, the Indians saw their tribal lands rapidly disappearing, their favorite fishing-places invaded by the saw-mills and grist-mills of the settlers, and their barbarian means of subsistence supplanted by a mode of living that they would neither understand nor adopt. Under such social conditions a collision was inevitable. Many disputes and altercations arose,

and by others (see *Copies of Warwick Rec.* p. 25-26 in R. I. H. S. Library) prevented this reaction from going too far. Subsequent assemblies, more patriotic in their make-up, showed no intention of acceding to the intrusion of Connecticut. The whole series of events would seem to show that Harris, whatever may have been his motives, was considered a traitor only by the party that opposed him. Williams's recorded opinion, though perhaps prejudiced, is of much importance in this connection. Harris, he says, "not finding that pretence, nor the people called Baptists (in whom he confided) serving his ends, he flies to Connecticut Colony (then and still in great contest with us) in hopes to attain his gaping about land from them, if they prevail over us. To this end he in public speech and writing applauds Connecticut's Charter, and damns ours, and his royal Majesty's favor also for granting us favor (as to our consciences) which he largely endeavors by writing to prove the King's Majesty by laws could not do. Myself (being in place) by speech and writing opposed him, and Mr. B. Arnold, then Governor, and Mr. Jo. Clark, Deputy-Governor, Captain Cranston, and all the Magistrates. He was committed for speaking and writing against his Majesty's honor, prerogative, and authority. He lay some time in prison until the General Assembly, where the Quaker (by his wicked, ungodly, and disloyal plots) prevailing, he by their means gets loose". (*G. Fox digged out of his Burrowes*, p. 206-7.)

which were generally settled by imposing some new restraint upon the Indians. But this state of affairs could not continue long. The savage, haughty, incapable of reasoning, repelling this assumed authority over him, bided his time and waited for revenge. It needed only a leader who could unite the tribes to cause this smoldering hate to burst forth into a flame that might endanger the very existence of New England.

The outbreak of King Philip's war cannot be ascribed to any one cause. It arose from a variety of causes and from a succession of events that can be but briefly alluded to in this chapter. Upon the death of Massasoit the old sachem of the Wampanoags, his elder son, Wamsutta or Alexander, became chief of the tribe. In 1662 the Governor of Plymouth, suspecting that Alexander was plotting rebellion, ordered that he be seized and brought to Plymouth. Through a display of armed force, this was done; but on the way to their destination, he suddenly became sick and died. The mysterious manner of his death when in English hands had much effect upon his brother Philip, who succeeded him as sachem, and was never forgotten. For a few years there was a period of comparative quiet, a suspected outbreak being punished by a partial disarming of the Indians. At length, in September, 1671, various reports as to Philip's behavior caused him to be summoned to Plymouth, where he acknowledged his complete subjection and promised to pay a fine of £100 and a yearly tribute, to submit to the judgment of Plymouth Courts, and neither to make war nor sell land without the Governor's approbation. This forced treaty gave a sense of security to the English, that was, however, but fancied and temporary. It served to lower the savage in the white man's estimation, and inspired in the Indian's breast a hatred that could only be appeased by revenge. The traditionary reply of Philip to a friendly interposition for peace shows better than any other quotation the wrongs with which the Indians considered themselves oppressed: "By various means they [the English] got possession of a great part of his [Massasoit's] territory. But he still remained their friend till he died. My elder brother became sachem. They pretended to suspect him of evil designs against them. He was seized and confined, thereby thrown into sickness and died. Soon after I became sachem, they disarmed all my people. They tried my people by their own laws; assessed damages against them, which they could not pay. Their land was taken. At length a line of division was agreed upon between the English and my people, and I myself was to be answerable. Sometimes the cattle of the English would come into



the cornfields of my people, as they did not make fences like the English. I must then be seized and confined, till I sold another tract of my country for satisfaction of all damages and costs. Thus, tract after tract is gone. But a small part of the dominions of my ancestors remains. I am determined not to live till I have no country''.<sup>1</sup>

During the period of calm that followed the treaty of 1671, Philip and his chiefs laid their plans for a general destruction of the English. In June, 1675, through information from certain friendly Indians, the colonists learned of the existence of a deep laid plot against them, and immediately took action toward breaking up the design. They sent an embassy to the Narragansetts, who were greatly feared on account of their fighting ability and supposed strength, to demand that that nation should break off all negotiations with Philip and give whatever intelligence they could of the plot. The commissioners were instructed to visit Roger Williams at Providence to obtain his assistance and advice. Within half an hour, he was with them on his way to Narragansett, where the Indians asserted their entire innocence and gave lavish assurances of their fidelity and good-will. But race hatred was too far inculcated in their hearts to allow these degenerate sons of Canonicus to remain any longer as allies. Two days later, Williams wrote to Governor Winthrop of his suspicion that "all the fine words from the Indian sachems to us were but words of policy, falsehood and treachery; especially since now the English testify, that for divers weeks, if not months, canoes passed to and again, day and night, between Philip and the Narragansetts, and the Narragansett Indians have committed many robberies on the English houses''.<sup>2</sup> Intervention, as he suspected, was hopeless. When the Narragansetts decided to take up arms with Philip, it meant much to Rhode Island, which otherwise would scarcely have been invaded. Williams realized this and did all that he could to prevent hostilities. "My old bones and eyes," he says, "are weary with travel and writing to the Governors of Massachusetts and Rhode Island''. But the Narragansett sachem, although reverencing the friend of his father, told him that the youth of the tribe, who were eager for war, could not be controlled. In the midst of these fruitless negotiations, the warning note of hostilities had sounded from Swansea, where on June 24, 1675, a number of the inhabitants were massacred. A struggle was begun, in which the English, through underestimating the strength and ability of their

<sup>1</sup>*R. I. H. S. Coll.* vii, 91. The grievances of the Indians are still further detailed in the *Narrative* of John Easton, published from the MS. in 1858.

<sup>2</sup>*Narr. Club Pub.* vi, 366, 370.



savage opponents, were to suffer losses of a most serious and lasting nature.

While the Plymouth authorities, accustomed to despise their opponents, desired to force the Indians into subjection, the Rhode Island attitude was one that strongly favored arbitration—real arbitration—and not the compulsory signing of treaties in which the Indians were made to acknowledge the most abject servitude. The government, furthermore, was in the hands of the Quakers, whose religious doctrines inclined them toward a peaceful solution of all matters. Shortly before the outbreak of hostilities, a delegation of Newport men held a conference with Philip, in which they tried to persuade him to lay aside his warlike intentions. They agreed that “all complaints might be righted without war”, and suggested an effective arbitration between an Indian sachem and Governor of New York. The Indians, says the narrator of this conference, “owned that fighting was the worst way . . . seemed to like the idea and said we spoke honestly”. It appears probable that if this course had been properly proposed to them by the people of Plymouth, that the war might have been prevented; but no steps toward it appear to have been taken, and the subject began and ended in this conference.<sup>1</sup>

With her government in the hands of Quakers, and with the other colonies indifferent as to her welfare, Rhode Island was in fair way to suffer exceedingly in case the war should be waged in her territory. Since the attack at Swansea, the Indians had visited their fury upon the towns in Massachusetts and Plymouth. But the general retreat to Narragansett toward the close of 1675, and the consequent decision of the United Colonies to attack them in winter quarters caused the fighting to be transferred to Rhode Island soil. The Narragansetts were now openly allied with Philip, and this attack upon them in their stronghold was made in order to prevent the joining of forces in the spring. But the decision, strange to say, was made without even consulting Rhode Island, although it was expressly ordered in her charter that the other colonies should not molest the native Indians “without the knowledge and consent of the Governor and Company of our colony of Rhode Island”. As Arnold justly says, it “was a direct viola-

<sup>1</sup>The author of this narration was John Easton, a Newport Quaker, and later a governor of R. I. The learned antiquarian, S. G. Drake, says that “he was, from his locality, and social and political standing, in the way of being better informed than all or any of those who have left narratives or relations of the circumstances. His relation cannot fail always to excite a deep interest, especially as it was evidently dictated by simplicity and honesty”. (See Drake, *Old Indian Chronicle*, p. 112-113; also Easton's *Narrative*, p. 8.)

tion of the royal order, an unscrupulous disregard of the rights, and a wanton act of indifference to the welfare of a sister colony, which no exigency of State could excuse".<sup>1</sup> Although her soil, through the acts of another colony, was thus exposed to the horrors of Indian warfare, Rhode Island sent many volunteers to join the army, which, under the command of Governor Winslow, marched toward Narragansett over a thousand strong. The details of the terrible battle that took place on December 19, 1675, in the heart of the Narragansett Country, and which is known to history as the "Swamp Fight", cannot be entered into at the present place.<sup>2</sup> This bloody conflict, in which the victorious English suffered almost as great a loss as the Indians, weakened the power of the Narragansetts forever, but did not by any means put an end to the war. The guerilla method of Indian warfare made it possible for depredations and massacres still to continue, while the fugitive Narragansetts now felt no hesitation in treating Rhode Islanders as their avowed enemies. The month of March, 1676, was a sad one for the mainland towns of Rhode Island. Wickford, Warwick, Pawtuxet and Providence were attacked in rapid succession, and the crops destroyed, the cattle killed, the houses burned and the few remaining inhabitants driven for their lives.<sup>3</sup>

Rhode Island had indeed suffered most fearfully from the effects of a war which the decision of other colonies had visited upon her, but the immediate disaster that happened to her mainland towns was due chiefly to causes that need especial explanation. At the breaking out of the war, the political control of Rhode Island was in the hands of the Newport Quakers, with the aged William Coddington as Governor. Secure in their isolation and the strength of their garrisons, and cherishing no especial affection for the straggling little towns on the main, to which they had formerly been united against their will, these Islanders had not the least intention of spending their energy in aid of

<sup>1</sup>Arnold, i, 402.

<sup>2</sup>The details of this battle and of other conflicts on Rhode Island soil are more thoroughly entered into in the chapter on Wars and the Militia. See also G. M. Bodge, *The Narragansett Fort Fight*, 1886.

<sup>3</sup>For the burning of the Smith house at Wickford, see Drake's *Indian Chronicle*, p. 216, 244. For the burning of Warwick, on March 17, see Drake, 217, 244; Hubbard, 66, add. p. 3; Mather 24; and Fuller's *Warwick*, 76. For the attack on Pawtuxet, Jan. 27, see Drake, 196, 212, 244, 302; and Hubbard, 60. For the burning of Providence on March 29, see Drake, 223, 244, 254; Hubbard, 67, add. p. 4; Mather 26; Backus, i, 424; Niles's *History in 3 Mass. Hist. Soc. Coll.* vi, 183; and Stone's "Burning of Prov." in *Prov. Jour.* Apr. 10, 1876. The fight of July 2, 1676, near Wolf's Hill in Smithfield, and not in a cedar swamp in Warwick, as Arnold says, is alluded to in a letter from Major Talcott. (*Ct. Rec.* ii, 459. See also Drake's edition of Mather, p. 39.)

their fellow settlers. To a petition of October, 1675, that the colony should be put in a suitable posture of defense for "the safety and satisfaction of all", the assembly, composed almost entirely of Island men, voted that each town council should provide for its own military affairs. In March, 1676, Providence and Warwick directly petitioned that colony garrisons should be established in their towns. The assembly appointed a committee which soon decided that the colony was not sufficiently able to maintain garrisons in the out-plantations and deemed it best that the inhabitants of those towns should give up the contest and repair to the Island for safety.<sup>1</sup> Under such circumstances a general flight to the Island was the only alternative, although a few of the bravest of each town remained behind, determined not to resign their homes without a struggle. A few days later the Indians fell upon the defenseless towns, and they were compelled to submit to a destruction of houses and property, which the toil of two generations could not replace. There is every reason to believe that had garrisons been placed at the colony expense in these two towns, they might both have been saved from their terrible fate. Nor do the excuses of inability and inadvisability which Newport was later forced to make show any reason why the Island, with five times the population of Providence and more than secure in her own position, could not have done this. Whatever may have been their motive in deserting the mainland towns—whether it was political enmity, Quaker antipathy against war in general, or a selfish desire to preserve only their own homes—such action is worthy of decided condemnation and did much to foster an alienation between the mainland and the Island which hindered a united colony growth for many years.<sup>2</sup>

<sup>1</sup>*R. I. C. R.* II, 531, 533. Richard Smith says that the Narragansett proprietors also sent in a petition to the government of Rhode Island for "protection and defense, which was absolutely denied them, the then Governor of Rhode Island being a Quaker, and thought it perhaps not lawful either to give commission or take up arms; so that their towns, goods, corn, cattle were by the savage natives burned and totally destroyed". (*R. I. C. R.* III, 51.)

<sup>2</sup>The May election of 1676, which resulted in the choice of Walter Clarke, as Governor, did not promise much more hope for the mainland. Now that the chief danger was over and the devastation already wrought, a small colony garrison was ordered for the protection of Providence, which, however, was not sustained. Clarke's weak letter of apology for not carrying out this order concludes with the consoling information that "the Lord's hand is against New England, and no weapon formed will or shall prosper till the work be finished". (*Prov. Rec.* xv, 160.) To the credit of some of Newport, be it said that Edmundson in his *Journal* (p. 81) records that "the people that were not Friends were outrageous to fight, but the Governor being a Friend (one Walter Clarke) could not give commissions to kill and destroy men". In the May election of 1677, the war party finally triumphed, re-established the garrison at Providence, and thoroughly revised the militia law.

The war, which in the meanwhile had been waged with renewed vigor throughout New England, was rapidly drawing to a close. By the summer of 1676, defeat, sickness and desertion had reduced the Indian forces to a few hundred braves, who still remained true to their chief. After several attempts on Philip's life, he was finally driven into a swamp near Mount Hope, where he was shot through the heart by a treacherous Indian. The leader dead, the war was soon ended. The Indians, their power utterly broken, were henceforth doomed to slavery or dependence upon the whites, and eventually to extinction. The English had lost hundreds of their best soldiers, incurred a heavy debt, and suffered losses to their cattle, crops, and homes from which it would take many years to recover.<sup>1</sup> Rhode Island, although she had been opposed to the war, had suffered in proportion to her population probably more severely than any other colony. The charred ruins of once promising villages, lands despoiled of all that was valuable, homes bereaved by death and desolation remained as mute witnesses of her own helplessness and the fury of the enemy.<sup>2</sup>

After the war, the Connecticut authorities, seeking some new pretext for control over the Narragansett lands, claimed them by right of conquest. They asserted that Rhode Island, during the war, rendered no assistance to the other colonies or to her mainland towns, and even accused her of sheltering the enemy. Although Rhode Island's virtual desertion of the mainland towns is only too true, that she refused to render aid to her distressed neighbors is disproved by contemporaneous accounts.<sup>3</sup> The fact that she was opposed to the war and be-

<sup>1</sup>The contemporaneous tracts on King Philip's War are listed in Winsor *Narr. and Crit. Hist.* iii, 360. See also Palfrey iii, 182-239, Bodge *Soldiers in King Philip's War*, and *Mem. Hist. of Boston* i, 327. For an account of R. I. in the war, see the bibliography at the close of the last volume of this work.

<sup>2</sup>A contemporaneous account presents the following table of losses so far as regards Rhode Island: "In Narragansett, not one house left standing. At Warwick, but one. At Providence, not above three. At Pawtuxet, none left". (Drake's *Indian Chronicle*, p. 244.) The Islanders, furthermore, had expended about £800 for war purposes. (*Prov. Rec.* xv, 160. The Newport Town Records soon after the war often mention the payment of individual claims for Island defence.) The tax laid in November, 1678, clearly shows the relative degree in which the towns had suffered. Newport was assessed £136, Portsmouth £68, New Shoreham and Jamestown each £29, Providence £10, Warwick and Kingston each £8, East Greenwich and Westerly each £2. (*R. I. C. R.* iii, 21, 112.)

<sup>3</sup>A few references to contemporaneous accounts will best show how Rhode Island was of assistance to the other colonies. In June, 1675, upon the request of Plymouth, Rhode Island sent out some sloops to attend Philip's movements by water (Easton's *Narrative*, p. 16, Church's *History*, p. 4, *Narr. Club Publ.* vi, 372,) and in the following month transported the troops from the Island

lieved the attack upon the Narragansetts to be unlawful and unjust would certainly justify her in not entering as a colony into the struggle. Her counsel and joint assistance, moreover, was never asked, and in all preparations for war her aid, welfare, and even existence were apparently not considered. Rhode Island asserted that since the war was prosecuted solely by the United Colonies, she was concerned only as necessity required for the defense of life and property, and that her colony, "though much neglected and disregarded, had afforded such assistance as could rationally be expected from so little a spot of land, encompassed with so many difficulties and disadvantages".<sup>1</sup>

Rhode Island emerged from the war desolate and impoverished. It would seem as if the process of reconstructing their homes and retrieving their fortunes would have prevented the settlers from renewing the costly and fruitless struggles over land. But on the contrary, the entire colony became embarrassed with controversies and litigation to a greater extent than ever. In the northern part of the colony Warwick was in dispute with Providence over jurisdiction, and with Pawtuxet over title to the lands bordering upon the Pawtuxet River, the proprietors of Providence and Pawtuxet were at issue over the boundary line between their respective holdings, and private parties were constantly suing one another for trespass and recovery of property. The details of these various disputes are too prolix and pro-

over to Pocasset (Church, p. 7, 13; Hubbard's *Narrative*, p. 28). It was a Rhode Island sloop, moreover, that rescued them from their perilous position after the skirmish at Fogland Ferry (Church, p. 11). Holden and Greene in their reply to Massachusetts, thus confirm this fact of naval assistance, "The colony did, at the request of the other colonies, assist them with several sloops well manned, when the war was begun in Plymouth colony, to the utmost they could do, and to the great damage of the enemy". (Arnold, i, 410, *R. I. C. R.* iii, 62.) After the sanguinary and exhaustive Swamp Fight of December, 1675, the English wounded—one writer says to the number of 150—were removed to Rhode Island, where they were hospitably and kindly cared for, some for many weeks (Drake, *Indian Chronicle*, p. 185, 211, and especially notes; Church, 17, and *Plym. Rec.* vi, 118). Rhode Island men served as volunteers in the war (Hubbard, 28), and at its very close two companies under Rhode Island captains brought in forty-two captives, and a body of Rhode Island men pursued Philip to his death. (Drake, 291; Church, 43, Calender, *Hist. Discourse*, p. 79, *R. I. C. R.* iii, 44.) Constant mention is made by Church of the provisions and aid furnished him by the Island (Church, 11, 12, etc.; Drake, 290), and the Newport jail was frequently used for Indian captives (Drake, 292). As a place of refuge, the Island was resorted to not only by the inhabitants throughout Rhode Island, but also by people from Swanzey, Dartmouth, and even from Mendon (Hubbard, 70, Drake, 133n, Church, 21). To use the expression of one early narrator, "Rhode Island now became the common Zoar, or place of refuge for the distressed". (Drake, 224.)

<sup>1</sup>*R. I. C. R.* ii, 582; iii, 44.



tracted to be considered in this chapter on colony history.<sup>1</sup> To give a complete account of them would be to write a biography of William Harris. This active and fearless opponent of Roger Williams spent the greater part of his life in trying to maintain and enlarge his property, and though invariably successful in obtaining verdicts in his favor, could seldom, on account of the persistence of rival claimants, get these decrees carried out. After his death in 1680, land disputes occupied a less prominent place in Providence politics, and those in which he was formerly concerned were finally settled, now that the champion was out of the fight, with considerable detriment to his original claims.

In the southern part of the colony, Rhode Island had much more formidable opposition to confront. The lands about Mount Hope, which now belonged to the English by right of conquest, offered a prize to the colony which could present the best claim. An additional claimant unexpectedly came forward in the person of John Crowne, a man who had attained considerable note in England as a writer of plays. In January, 1679, he petitioned the King for "a small tract of land in New England, called Mount Hope", as a recompense for certain losses sustained by his family in Acadia. The council immediately sought information from the agents of Rhode Island and of Massachusetts who were then in London. The former asserted that the propriety was vested in the King, while the latter favored the claim of Plymouth to the territory in question. Unable to decide upon such contrary evidence, the council addressed letters of inquiry to the four New England colonies. Rhode Island admitted that the territory had been previously granted to Plymouth by the Commissioners in 1665, as having been within that colony's original patent, but mentioned the fact that it was also included within her own charter of 1663. Plymouth, besides advancing her rights by patent, sought the property as a compensation for the losses she had sustained in Philip's war. Her claim seemed the most conclusive, and on January 12, 1680, the land was especially granted to Plymouth. Crowne, disappointed in his purpose, presented a new petition for a grant of Boston Neck, in Narragansett, which met the same fate as its predecessor.<sup>2</sup>

<sup>1</sup>For detailed treatment, see Staples's *Providence*, page 581-592, and Arnold, i, 429-438. The papers of the chief actor in these controversies, William Harris, are in process of publication by the R. I. Historical Society.

<sup>2</sup>For the original documents bearing upon these Mount Hope lands, see *R. I. C. R.* iii, 37-46, 64; *Conn. Rec.* iii, 272, 506; and *Cal. State Papers Colonial*, 1677-80. For the life of Crowne see *Dict. Nat. Biog.* xiii, 243.

It was in the renewed struggle for Narragansett country, however, that Rhode Island had the most concern. During the period when that territory was a possible battle-ground, both colonies refrained from asserting jurisdiction over it. But immediately upon the conclusion of the war, Connecticut, setting up an additional claim to the territory by right of conquest, warned Rhode Island inhabitants from resettling upon their former estates. The Rhode Island assembly, in a letter of October 25, 1676, remonstrated against this order and said that because a colony was obliged by necessity to desert some of its plantations, it should therefore lose its Charter rights, and particular persons their lands and privileges, would without doubt be disapproved by his Majesty.<sup>1</sup> They furthermore set up a written prohibition, forbidding anyone to "exercise jurisdiction in any part of the Narragansett country, but by order of the authority of the Colony of Rhode Island".

With each colony taking so determined an attitude, the controversy seemed in a way of becoming more serious than ever. Connecticut arrests brought forth threats of Rhode Island reprisals and each side began to strengthen its military arm. Connecticut's proposal in May, 1677, of Coweset as the boundary between the two colonies was met by Rhode Island's offer of five thousand acres in Narragansett to be at Connecticut's disposal but under Rhode Island's jurisdiction.<sup>2</sup> Neither party being willing to sacrifice any of its assumed rights, these attempts at compromise were wholly in vain. Both colonies prepared for a protracted controversy—Connecticut, more adventurous and self-confident from her recent practice in arms, and prodded on by those of Massachusetts who hoped to make good their flimsy mortgaged title; Rhode Island, weaker, yet twice assured in her claim by royal command, and realizing that to forfeit the territory in question would be to lose her geographical integrity.

The Connecticut court, at its May meeting in 1677, appointed a committee to survey the Narragansett country with a view towards a general settlement, and in October following the Rhode Island assembly laid out a tract of five thousand acres to be known as the town of East Greenwich.<sup>3</sup> Those of the Atherton Company who resided in

<sup>1</sup>*R. I. C. R.* II, 556, 559.

<sup>2</sup>*Idem*, II, 583, 594.

<sup>3</sup>*Idem*, II, 587, 593, 595. East Greenwich was the eighth town to be incorporated in the colony, Kingston having been incorporated in 1674. The new town was to be laid out in two parts, one of 500 acres for house lots on the bay, and the other of 4500 acres for farms. The whole was to be divided



Massachusetts, now sought to turn their pretended holdings in Narragansett country into ready money, and applied to Connecticut for the privilege to form settlements there. This request granted, they posted a handbill in Boston and Newport offering for sale at reasonable terms several tracts of land in that country. Rhode Island quickly warned all people against these "fallacious claims of title and government", asserted her own ownership of the territory, and later imprisoned and fined one of the signers of the advertisement.<sup>1</sup> A still bolder move was made by the heirs of the Atherton Company residing in Narragansett. They sent a petition to the King, signed by Richard Smith and others, and also by William Harris, begging that Narragansett, as well as the islands in the Bay, should be given to the jurisdiction of Connecticut. In view of these powerful attacks upon Rhode Island's authority, it was most fortunate that two such able representatives of her interests were in London at the time. Randall Holden and John Greene, who had originally gone abroad to defend Warwick in the Harris case, and who had already shown much skill in diplomacy, now became the accredited agents of Rhode Island in England. They soon made answer to Smith's petition and also informed the King regarding the Atherton handbill, which was in direct defiance of former royal orders. In a document dated December 13, 1678, the King rendered his decision. After summing up the chief points in the history of the dispute—the submission of the Indians to his Majesty in 1644, the declaration of the royal commissioners in 1665 that the Atherton purchases were void, and the subsequent order that the magistrates of Rhode Island should govern in Narragansett until further notice—the order directly commanded that the province should be left as it was, and that all persons pretending title should make their appeal to the King.<sup>2</sup> Massachusetts was rebuked by a later order annulling the sentence of banishment passed upon Holden and his Warwick associates thirty-five years before. The intelligence of this decision was conveyed to the colonies in a royal letter of February 12, 1679, requiring them to send agents to England if they had claims to the territory in question.

into fifty equal shares among those named in the act. Neglect to build within a year would result in the forfeiture of one's whole share. For references to the town's history, see the Bibliography at the close of this work. For discussion as to the origin of the name see *Narr. Hist. Reg.* iii, 249, 327.

<sup>1</sup>*Ct. Rec.* iii, 15, 32, 257; *R. I. C. R.* iii, 18; Arnold, i, 447. The handbill is dated July 30, 1678.

<sup>2</sup>The original documents are in *R. I. C. R.* iii, 50-51, 60-63. Holden and Greene received from R. I. a richly deserved letter of thanks upon their return home in July, 1679, besides the sum of £60 for their expenses. A letter of gratitude was also sent to the King. (*Idem*, 43, 47.)

It was opportune for Rhode Island that this royal intercession in her behalf came when it did. Connecticut's recent demand that the settlers in East Greenwich should be recalled, was answered by a letter in which Rhode Island justified her course. The letter deplores the "pressing forward of that long difference between the two colonies which we hoped would not again be raked up", and then prophetically continues, "We must own you are of strength sufficient to compel submission; but if you think his Majesty will not relieve, maintain and defend his subjects in their just and lawful rights from usurpation, forceable and violent intrusions, you may attempt anything under the pretence of settlement".<sup>1</sup> Upon receiving the royal confirmation of the government of Narragansett by her magistrates, Rhode Island immediately posted a prohibition commanding the inhabitants in Westerly and elsewhere in Narragansett to render obedience only to her authority, and warning Connecticut not to exercise any jurisdiction in that country. The Connecticut court, at a meeting held in October, 1679, took action on the King's letter by appointing William Harris as their authorized agent to argue their claim in England. Although she realized that her pretensions to the heart of Narragansett country were temporarily, at least, defeated, and expressed her willingness to "sit silent" until the King's pleasure was made known, Connecticut strongly protested against Rhode Island's assertion of authority at Westerly. She assumed that the royal order that King's Province should remain in its present condition meant that Westerly should *remain* under her jurisdiction—an evidently wrong construction in that it neglected the premise of the King's decision mentioning Rhode Island's authority over the province until his Majesty's pleasure was further known. Acting upon this assumption, however, she complained of Rhode Island's "unlawful proceedings" on the east side of the Pawcatuck, forbade the inhabitants there to recognize Rhode Island authority, and condemned that colony's "pretences" of jurisdiction as "usurped and utterly unlawful". Rhode Island re-

<sup>1</sup>*Ct. Rec.* iii, 266, under date of April 21, 1679. The hindrance offered to the Rhode Island government by some of the Narragansett settlers themselves is well illustrated by a letter of R. Smith to Connecticut, May 26, 1679. After complaining of the proceedings of Rhode Island "against those that assert your right", he continues, "I long to hear what your Court concludes. Pray let us hear what we may trust unto; we must either be protected or comply with our adversaries, the latter being sore against our minds, if forced to it. As to what Rhode Island pretends to have favor in England, I know they lie, nor have they any assurance in any such thing . . . Rhode Island settles daily in Narragansett; if no stop be made, it will be hard to remove them". (*Ct. Rec.* iii, 269.) Prodded on by such letters as this, Connecticut could scarcely recede a step in her controversy with a manifestly weaker colony.

plied by giving notice of her intention to run her western line and requesting the concurrence of Connecticut in the matter—"a cool rejoinder", says Arnold, "to the recent fulminations from that quarter".<sup>1</sup>

Harris sailed for England as agent for Connecticut in December, 1679, but was taken at sea by a Barbary corsair, kept as a prisoner for over a year in Algiers, and finally ransomed for a large sum. He returned to England, broken down by his hardships, and died within a few days after reaching London.<sup>2</sup> Connecticut, upon hearing of his capture and consequent loss of papers, hastened to send a letter to the Board of Trade giving seven reasons why they be given authority over Narragansett Country. The Narragansett proprietors also sent a long petition, asking to be separated from Rhode Island, and either annexed to some other colony or erected into a separate province.<sup>3</sup> The Board of Trade soon found that the controversy was too complicated to receive final decision in England, and recommended that commissioners be appointed to examine the subject.

At length, on April 7, 1683, a royal commission was issued to Edward Randolph, the English customs officer in Massachusetts, Edward Cranfield, Governor of New Hampshire, William Stoughton, Joseph Dudley, and five other Massachusetts men, to inquire into the "respective claims and titles to the jurisdiction, government, or propriety of King's Province, or Narragansett Country". This commission, from the very character of its composition, could scarcely be expected to render a fair decision. Randolph was one of the most unscrupulous and incapable officers ever sent over to New England, and Cranfield was a mere political freebooter.<sup>4</sup> The preponderance of Massachusetts representatives, furthermore, immediately suggested the partiality that was to be shown to the Atherton Company. By August, the commission was ready for business. They wrote to Rhode Island, giving notice of their intention to meet at Richard Smith's house on August

<sup>1</sup>Connecticut's action is in *Ct. Rec.* iii, 38, 40, 278. See also *R. I. C. R.* iii, 73, and Arnold, i, 457.

<sup>2</sup>The Harris Captivity Letters, a remarkably interesting series of documents, are in process of publication by the R. I. Historical Society.

<sup>3</sup>Connecticut's letter, dated July 15, 1680, is in *Ct. Rec.* iii, 302; and the Narragansett petition, received Oct. 11, 1680, is mentioned in Arnold, i, 463. For the reply of R. I. to this latter document, and for previous letters in regard to the "first settler" of Narragansett, see *R. I. C. R.* iii, 56-60, Arnold, i, 463, and *Narr. Reg.* ii, 27.

<sup>4</sup>For English estimates of these officials, see Doyle's *Puritan Colonies*, ii, 196, 226.

22, and requiring that that colony should produce all necessary documents, and desiring that printed briefs should be publicly set up. This was the first warning that Rhode Island had regarding the appointment of the commission and she was in considerable uncertainty as to how to act. The Governor and Council, after a serious debate, decided that the printed briefs should not be published, because "the said summons were not granted in his Majesty's name; because they have not shown any commission to this government from his Majesty for their so acting; and because his Majesty hath not given any information thereof to us by any of his royal letters". The assembly approved of this action, "the said printed briefs being not only dateless, but also placeless". They also wrote a letter to Cranfield asking that before anything further was done, the royal order should be shown to the assembly, "that we may be informed what his Majesty's will and pleasure is concerning us therein".

The Rhode Island authorities evidently perceived that nothing could be hoped for from such a commission, and decided to stand suit in the matter on the plea of illegality. It might have been more politic, and surely more courteous, to have adopted a less defiant course, but they hoped to head off any final judgment upon the commissioners' report when the matter came up in England. That a permanent decision would be made entirely upon the testimony of one side they realized was hardly probable.

The commission met at Smith's house on the appointed date. When Cranfield was shown the letter from Rhode Island, he said that he did not recognize that colony's authority in King's Province, and refused to send a reply. The assembly, which was now met at Captain Fones's house near by, immediately issued a prohibition, by virtue of his Majesty's trust to them, forbidding the holding of the court unless royal authority was shown. The commission continued with their proceedings, however, and heard the testimony of the Connecticut agents, of the Atherton representatives, and of some Indians who were brought before them. After a two days' session, they adjourned to Boston, where they looked over several documents furnished them by the Atherton men. On October 20, they rendered their report, a lengthy document, in which Rhode Island's disrespectful conduct is enlarged upon. Not having heard any pleas in behalf of Rhode Island, the commission naturally came to the decision that the jurisdiction of Narragansett belonged to Connecticut and the right of the soil to the Atherton associates. The grant of the territory to Rhode Island by charter was declared invalid, since that clause was dependent entirely

upon the Winthrop-Clarke agreement which was later repudiated by Connecticut. The decision of the royal commissioners in 1665 in behalf of Rhode Island was briefly disposed of by asserting that these "inadvertent orders were since by Colonel Nichols and themselves reversed".<sup>1</sup> Cranfield, on October 19, wrote a letter to the King, abusing Rhode Island, and that colony, on the same date, explained her whole conduct to the King, contrasting the action of the present commission with that of the deputation of 1665, and stating that the refusal to exhibit royal authority had forced her to issue a prohibition of proceedings.<sup>2</sup> All these letters and reports were brought before the English council, where they were apparently disregarded in making way for the rapidly maturing scheme of bringing Narragansett within a general New England province.

For several years, the English government had had serious intention of reducing all the New England colonies to an absolute subjection to the mother country. Through their natural resources, their enterprise, and their virtual immunity from British duties, these colonies had built up a flourishing trade, and were reaping profits of which but a small percentage went into English pockets. In attempting to establish a supremacy in commerce, the home government had found that, because the colonies paid little heed to British navigation acts, the Dutch were rapidly gaining control of the lucrative colonial trade. After the Holland war was over in 1674, the King again resumed his plan of subduing the New England colonies, and unfortunately for them, just at a time when they had been wasted and weakened by a destructive Indian war. But such a scheme, especially on account of the obstinacy and boldness of Massachusetts, required careful handling. The great trouble was that the charters, enabling the colonies to evade English laws and making them largely independent, stood squarely in the way. These instruments of freedom, and particularly that of Massachusetts, must be first annulled; and the appointment of Randolph as collector of duties in 1676, the separation of New Hamp-

<sup>1</sup>This statement was decidedly untrue, since Nichols and his associates merely revoked their order requiring the Narragansett proprietors to quit their habitations, and not the important order giving the control of Narragansett to the Rhode Island magistrates. (*R. I. C. R.* ii, 94.) The fact that Nichols was not present when these orders were made in 1665 was merely an informality, and consequent reports confirming the orders were signed by the whole body of commissioners (*R. I. C. R.* ii, 127), as well as accepted without question by the King.

<sup>2</sup>The documents illustrating the action of the Commissioners in R. I. are in *R. I. C. R.* iii, 139-149, 174; *Ct. Rec.* iii, 320, 324. Cranfield's letter to Jenkins, Oct. 19, 1683, is in *Cal. of State Papers, Colonial*, 1681-1685, p. 521.

shire into a royal province in 1679, and the later frequent complaints were all made with this end in view. In 1684, the first blow came. The simple trading charter which Massachusetts had so long been permitted to enjoy, was annulled, and the colony became an absolute royal possession.

The most important step having been taken, it was merely a question of time when the other colonies would be visited with the same misfortune. As Cranfield said, in one of his usual vituperative letters: "The temper and methods of government in Connecticut and New Plymouth is the same as in Boston, as corrupt but more ignorant. If the King take them into his hands as well as Boston, it will effect a general reformation. There is matter enough to furnish the attorney-general with grounds for cancelling their charters. If the King knew what a mean and scandalous sort of people the Rhode Islanders are, I doubt not that he would prosecute their charter also".<sup>1</sup> Plymouth, though Cranfield does not seem to have been aware of the fact, was without any charter or constitution, and lay entirely at the King's mercy. The turn of Rhode Island and Connecticut was soon to come.

Randolph, whose duties as informer against the colonies occupied more of his time than his business of collecting customs, had long urged that all the charters should be annulled, and in May, 1685, the Lords of Trade ordered him to "prepare papers containing all such particulars upon which writs of Quo Warranto might be granted against Connecticut and Rhode Island". Such a command was very acceptable to this energetic official, and he immediately set about gathering information whereby these two less offending but likewise valuable colonies might, like Massachusetts, be garnered in for the crown interests. In a short time he had collected the following "articles of high misdemeanor" against Rhode Island, which, with those exhibited against Connecticut, he sent over to England:

"1. They raise great sums of money upon the inhabitants of that colony, and others by fines, taxes and arbitrary imprisonment, contrary to law, and deny appeals to his Majesty.

2. They make and execute laws contrary to the laws of England.

3. They deny his Majesty's subjects the benefit of the laws of England, and will not suffer them to be pleaded in their courts.

4. They keep no authentic records of their laws, neither will they suffer the inhabitants to have copies of them.

5. They raise and cancel their laws as they please, without the consent of the general assembly.

<sup>1</sup>*Cal. State Papers, Colonial, 1681-85, p. 521.*



6. Their Governor, Deputy-Governor, assistants, deputies, and other officers for the administration of justice, as well as juries and witnesses, are under no legal oaths.

7. They violate the acts of trade, and have taken from Francis Brinley, Esq., his late Majesty's commission, appointing the said Brinley and others to administer an oath to the Governor of that colony, for his duly putting in execution the act of Trade and Navigation, made in the twelfth year of his late Majesty's reign; the Governor of that colony not having taken the said oath these three or four years last past, as is required in the said act''.

These charges were chiefly trumped up for the occasion, the last, for instance, being directly disproved by the records, and were never furnished with proof. They were sufficient, however, for the purpose desired, and in July were sent by the Committee for Trade and Foreign Plantations to the Privy Council with the recommendation that the Attorney-General should bring writs of Quo Warranto against both colonies. The royal order to this effect was soon given, but for some reason the writs were not immediately prosecuted. Randolph, who was in England at the time, anxiously urged that they be entrusted to his care, and on October 6, the writs were accordingly issued.<sup>1</sup> With these instruments of colonial destruction in his hands, he soon sailed for New England, where the colonists were despondently awaiting the King's decision.

The Narragansett country, in the meanwhile, was rapidly being drawn into the English scheme of colonial dependence. The King had no intention of heeding the prejudiced report of the commissioners in favor of Connecticut, since he now proposed to include this territory in his contemplated New England province, to the exclusion of Rhode Island and every other claimant. As soon as the Massachusetts charter was cancelled, it was planned to erect Massachusetts, New Hampshire, Maine and Plymouth into a royal province under the leadership of Colonel Percy Kirk, and on November 17, 1684, the Narragansett country was added to this dominion.<sup>2</sup> But upon the death of King Charles, in February, 1685, and the consequent accession of James II, these plans were changed and a slightly different policy adopted. All these provinces except Plymouth, were placed under a President and

<sup>1</sup>For the proceedings in procuring the writ, see *R. I. C. R.* iii, 175-178, and also the various references to R. I. in the five volumes of *Randolph Papers* issued by the Prince Society. No copy of the writ itself can be found, the date being ascertained from the record of reception (see *R. I. C. R.* iii, 190), and from the notification of issue. (Arnold i, 482.)

<sup>2</sup>For this proposed province under Kirk, see Palfrey, iii, 395, 482; and *R. I. H. S. Publ.* vii, 198.



Council until a Chief Governor should be sent over. Although the representative system by towns was not allowed, yet the limitation of the Council's power and the appointment of the moderate Joseph Dudley as President showed that the new King did not intend to subjugate the colonies too abruptly. In May, 1686, Dudley established himself at Boston, and on the 28th made proclamation concerning Narragansett Country, erecting a Court of Record, appointing justices and constables, and forbidding all governments to exercise jurisdiction there. In the following month, the Council held session at Kingston, where they provided for two annual Courts of Pleas, changed the town names—Kingston to Rochester, Westerly to Haversham, and Greenwich to Dedford—and made many minor provisions, all contributing toward a more permanent establishment of the King's rule.<sup>1</sup>

Randolph arrived from London with the writ of Quo Warranto against Rhode Island in May, 1686, and on June 22 delivered it to Governor Walter Clarke. Although the time for the return of the writ had expired, the assembly voted "not to stand suit with his majesty, but to proceed by our humble address to his Majesty to continue our humble privileges and liberties according to our charter, formerly granted by his late Majesty, Charles the Second, of blessed memory". They realized the folly of opposing the royal will, even if the altered conditions were sure to be distasteful, and wisely accepted the inevitable. In this their last assembly for several years, they took the precaution to preserve as much liberty as they could by making detailed provision for the separate towns to conduct public business. Thus, with a strong supreme authority to protect them from their neighbors, they had only to fall back upon their original town governments to secure as much tranquillity as they could have otherwise had.

Finally the assembly addressed a letter to the King in which they narrated their action and beseeched his favor, and appointed an agent, John Greene, to carry the same to London. As if to show that no unified or corporate action could be taken by Rhode Island, this address was followed within a few months by no less than six memorials, each representing different factions. Certain inhabitants of Narragansett and Newport, who disliked the Quaker Rhode Island government, and welcomed the coming of royal authority, protested against the assembly's expressed desire for a continuance of charter privileges and against the appointment of a London agent. Randall Holden

<sup>1</sup>For Dudley's rule in Narragansett, see *R. I. C. R.* III, 195-203.

wrote to complain of the inroads of Massachusetts men in Narragansett country, while the land owners of that country and the proprietors of Pawtuxet, fearing that John Greene might attempt to invalidate their titles during his stay in England, sent letters to counteract his influence at Court. The Quakers also sent an address, begging that their views in regard to oaths and warfare might be respected, and some, signing themselves as of Providence Plantations, wrote disowning the assembly's address and asking to be annexed to the general New England government.<sup>1</sup> These various memorials do not indicate a serious division among the colony's authorities, but are rather the expressions of individuals who feared that their interests might be compromised by a sudden change in government.

On June 3, 1686, the provisional government of New England under Dudley was abolished by appointing Sir Edmund Andros Governor in Chief of all those provinces. Upon receiving the address of Rhode Island, voting not to stand suit and consigning her welfare to the King's pleasure, the royal authorities placed the colony under the government of Andros, and requested him to demand the surrender of the charter. The King, furthermore, assured the "good subjects of our Colony and Plantation aforesaid, of our Royal countenance and protection in all things, wherein our service and their welfare shall be concerned".<sup>2</sup> This was under date of September 13, 1686. By royal command Rhode Island's corporate existence was not longer to be allowed. She was henceforth to be but a county, so to speak, in a great royal province, in which the colonists themselves had no privileges whatever except what they could persuade the royal governor to give them.

If Rhode Island's history were to be divided into three periods, the first would extend to the establishment of the Andros rule, the second to the American Revolution, and the third to the present time. In 1686, Rhode Island was a far different structure from what Roger Williams had imagined when he planted the first seeds of settlement on the banks of the Mooshassuck. In any retrospect of her history from one date to the other, two feelings are inspired, satisfaction and surprise—satisfaction that she grew and waxed strong from such scattered and unprofitable beginnings, and surprised that she should have managed to escape the continued inroads of her neighbors. Indeed, this latter achievement is one of the miracles of Rhode Island's entire early his-

<sup>1</sup>These different addresses are in *R. I. C. R.* iii, 194, 208, 209; *Cal. State Papers, Colonial, 1685-88*, no. 819, 829; and Palfrey, iii, 506n.

<sup>2</sup>The commissions to Andros are in *R. I. C. R.* iii, 212, 218.

tory. Time and again other colonies obtained a foothold within her borders from which it seemed almost impossible to dispossess them, but her unwearied persistence, aided by the justice of her claims and by good fortune, enabled her in the end to maintain her territory intact. Yet the onus of blame for this aggression upon her lands—and this fact most historians of Rhode Island have either failed or been unwilling to note—should be visited upon her own disloyal inhabitants rather than upon her grasping neighbors. The submission of the Arnolds to Massachusetts in 1642 first gave that colony a pretence of control over Rhode Island territory and was the chief cause of the early troubles at Providence; the scheming of Coddington to erect a monarchy or to ally the Island with a foreign jurisdiction to the exclusion of Providence and Warwick, kept the colony in an unsettled and defenseless state for several years; the reproachful and entreating letters written by Richard Smith and his companions to Connecticut kept that government constantly awake to the urgency of striving for Narragansett lands; and the existence of a strong royalist party who disliked the authority of Rhode Island and strove to replace it with a government more akin to them in religious and political thought, was a continued source of annoyance even after the passing of the Andros rule. In view of such repeated concessions to outside jurisdictions, it is little wonder that Massachusetts and Connecticut were able to make such vigorous invasions as they did upon Rhode Island's territory. Although most of those who disparaged her authority may have thought that they had sufficient cause for dissatisfaction, yet had they exerted themselves to amend these faults instead of complaining of them to other colonies, it would have been much better in the end for all parties concerned. We may not be justified in branding these symptoms of contempt with the name of treachery, since Rhode Island was at first a problem rather than an established fact in the line of governments; but inasmuch as all these malcontents, with scarcely an exception, had formerly signed compacts of loyalty and union and had accepted the jurisdiction of Rhode Island so long as became their ends, we are surely safe in asserting that their homage to other colonies, generally with mercenary aims, was a breach of trust and fidelity. The chief obstruction to Rhode Island's progress during the first century was not foreign aggression, but internal disloyalty.

In spite of the disaffection of her subjects and the incursions of her neighbors, Rhode Island had managed not only to survive, but also to better her material condition to a notable degree. From a few scattered settlements, despised and abused by the adjacent colonies, to

whose persecution they owed their existence, she had grown to become a prosperous plantation which compelled recognition and was counted a factor in New England's economic and political life. Her population, which was nearly equal to that of Plymouth, amounted in 1686 to about 4,000 souls, with perhaps 2,500 on the Island, 600 in Providence, and the rest scattered throughout the other towns.<sup>1</sup>

The chief occupation of the colonists was agriculture, the majority "living comfortably by improving the wilderness". The royal commissioners, in their report on New England sent home in 1666, said that in Rhode Island were "the best English grass and most sheep, the ground very fruitful, ewes bringing ordinarily two lambs, and corn yielding eighty for one"; and this fact of sheep-raising is emphasized when we note that William Brenton alone in 1673 owned over 1,500 head of sheep.<sup>2</sup> Shipping, as yet, contributed but very slightly to the colony's prosperity. Although Massachusetts possessed a commerce of perhaps eight hundred vessels, large and small, Rhode Island had to acknowledge to the Board of Trade that "we have no shipping belonging to our Colony, but only a few sloops".<sup>3</sup> Her favorable situation, however, near good harbors, together with the inclinations and activity of the more youthful portion of her population, was soon destined to give her a standing in trade rivalling any other colony in New England.

<sup>1</sup>The various early estimates of population vary somewhat, but the above is approximately correct. Callender (*Hist. Discourse in R. I. H. S. Coll.* iv, 149,) says that in 1658 "perhaps there were fewer than 200 families in the whole colony". Cartwright, in 1671, estimates that there were 1,000 men in R. I. able to bear arms (Palfrey, iii, 36), and it is usual to reckon five persons for every man of military age. William Harris, in his *Plea of the Pawtuxet Purchasers*, 1677, alludes to Providence as a town of "about five hundred souls" (*R. I. H. S. Publ.* i, 195), and a Providence taxlist of 1679 records about 125 taxpayers (*Prov. Rec.* xv, 187). Sanford, in his reply of 1680 (Arnold, i, 490) says that "for planters we conceive there are about 500 and about 500 men besides". He also notes that there are about 200 births and fifty marriages a year, and 455 burials in seven years last past—doubtless partially due to the effects of Philip's war. The population of R. I. in 1708, the date of the first census, was 7181.

<sup>2</sup>Hutchinson's *Coll. of State Papers*, p. 416, and Austin's *Geneal. Dict.* p. 254.

<sup>3</sup>Sanford further says that "as for goods exported and imported, which is very little, there is no custom imposed"; that "the principal matters exported are horses and provisions, and the goods chiefly imported is a small quantity of Barbadoes goods for supply of our families"; and "the great obstruction concerning trade is the want of merchants and men of considerable estates amongst us". (This document is in Arnold, i, 488.)

## CHAPTER X.

### ANDROS AND THE ROYAL GOVERNORS, 1686-1701.

The rule of Andros was looked forward to with less fear in Rhode Island than in any other colony. The establishment of this new authority in New England meant, first of all, the transference of all political power from the hands of the colonists to Andros and his council. Laws could be made from which there was no appeal, financial systems altered, and taxes levied by strangers who little understood local wants and requirements. The provision in Andros's commission allowing him to grant land upon payment of quit-rents was also fraught with much danger, particularly in this country, where soil was the chief item of wealth. But the most hated attack upon New England's institutions was the establishing of tolerance in religion. In order to obtain a foothold for the Church of England, Episcopal forms and rites were introduced and the Baptist, Quakers, and other despised sects were elevated to influence at the expense of the Puritan church. It was not liberty of conscience as a principle, but it signified the downfall of theocracy. All these invasions of former rights were felt most in Massachusetts, the especial object of royal interference, and least in Rhode Island. In the latter colony there was little commerce to lay duties upon, the collecting of any tax whatever was sure to be attended with considerable difficulty, and there was no established church to feel the effects of Andros's attitude on religion. The coming of the new rule meant that Rhode Island was guaranteed protection against the oppressions and incursions of her neighbors, and was destined to enjoy a longer period of repose than had ever been her privilege before.

Andros arrived at Boston on December 19, 1686, and immediately established himself in office. The first news Rhode Island received of his coming was in the form of an official letter, dated December 22, stating his authority to demand her charter, and appointing seven of her inhabitants as members of his general council. He also wrote a friendly letter to Gov. Walter Clarke to acquaint him of his arrival.

Rhode Island, although she had no particular antipathy against the Andros rule, had no intention of parting with her charter except as a last resort, and replied that it "was at their Governor's house in Newport, and that it should be forthcoming when sent for, but in regard to the tediousness and bad weather, it could not then be brought".<sup>1</sup>

Andros held his first council meeting at Boston, on December 30, 1686, at which five of the seven Rhode Island members were present. The colony was henceforth governed by this body, although her members do not seem to have taken enough interest to attend further meetings. The minor details of administration were cared for by a local court called "The General Quarter Sessions and Inferior Court of Common Pleas holden at Newport, Narragansett, and Providence Plantations". Of this court Francis Brinley was chairman and judge, and the royalist, or Narragansett, element generally predominated.<sup>2</sup> Although the Rhode Island authorities had intended that all public business should be transacted by the towns, there seems to have been little done in this direction.<sup>3</sup> The only business apparently done was the occasional and irregular election of town officers and a few spasmodic attempts to collect the tax rate ordered by Andros. It was chiefly in this latter respect that Rhode Island was made to feel the effect of Andros's rule. One of the first acts of his council was to require the towns to appoint assessors for a property tax. The apparent disregard of the order by the towns and the constant reference made by the local court to this neglect show that Rhode Islanders suffered little loss in this way. Another attempt to raise revenue was

<sup>1</sup>*R. I. C. R.* iii, 219, and Jour. of Andros's Council in *Am. Antiq. Soc. Proc.*, n. s., xlii, 242.

<sup>2</sup>The proceedings of the Court, from June, 1687, to December, 1688, are in *R. I. C. R.* iii, 229-248. Brinley, Peleg Sanford, Richard Smith, and John Fones were the leading members of the Court. When, in December, 1687, the building of new court-houses was suggested, Brinley and Sanford "judged it convenient" that one be erected in Newport and the other in Rochester, formerly Kingston. (*R. I. C. R.* iii, 228.) Warwick quickly protested, advancing her claim as a more central site than Rochester. (*Ext. from Mass. MSS.*, ii, 72, in *R. I. H. S. Lib'y.*)

<sup>3</sup>Newport had only one town meeting during the Andros period, on April 6, 1687, when one was called by warrant from the treasurer to choose selectmen to assess the rate of one penny to the pound on each inhabitant's estate. (Newport MS. records of Town Meetings, 1682-1739, p. 48.) Staples says that "little transpired in the concerns of Providence, that can now be gathered from the records". (*R. I. H. S. Coll.*, v, 177.) Similar conditions seem to have existed in the other towns.



by farming out the excise on liquors, and by allowing quit-rents, but neither of these means seem to have yielded much return.<sup>1</sup>

Rhode Island, although she had voted not to stand suit with the king and was practically under the government of Andros, had not yet vacated her charter by actual surrender. In the spring of 1687 the king in council made several orders for the prosecution of the writ of *quo warranto* against Rhode Island, and in November, Andros, while on a visit to Newport, again demanded the charter. Governor Clarke, forewarned of his coming, had sent the precious document to his brother, with the request that it should be concealed. After the departure of Andros the charter was returned to the governor, who retained it until the revolution of 1689 permitted a resumption of government under it.<sup>2</sup> The colony seal, however, was produced and broken by Andros.

Andros's sole authority for governing Rhode Island was contained in that document which empowered him to obtain her charter and to exercise a like control over her as over the other New England colonies. On April 7, 1688, the king sent out a new commission to Andros, in which it was stated that since the issuing of the first commission of June, 1686, it had been thought "necessary for the service and for the better security of the King's subjects in those parts, to join and annex to the said government the neighboring colonies of Rhode Island, Connecticut, the Province of New York, of East and West Jersey", etc.<sup>3</sup>

Scarcely had the new instructions arrived when there came the report of a great political upheaval in England. In April, 1689, a messenger landed at Boston, telling of the revolution, the flight of James, and the invasion of William, Prince of Orange. Without waiting for further news, the colonists uprose, seized Andros, compelled the royal fort and castle to surrender, and formed a provisional government with the aged Bradstreet as governor. As soon as Rhode Island was informed of these proceedings, she took immediate action

<sup>1</sup>Nathaniel Byfield, of Bristol, was appointed by John Usher, treasurer of the Providence, to be farmer of excise in the Rhode Island district, as appears by an original warrant, July 8, 1687, in his name to John Whipple "to receive the whole excise of all sorts of drink that shall be sold within the township of Providence by retail", for one year. (Quoted in Arnold I, 503, from a MS. in Prov. Town Papers, No. 0500, and see *Cal. State Papers, Col. Ser.*, 1685-88, No. 1093.) The only recorded introduction of quit-rents was in the case of Richard Wharton, who was granted about 1,700 acres in Narragansett for an annual rent of ten shillings. (*Idem*, No. 1414; *R. I. C. R.* III, 225; and Palfrey, III, 529n.)

<sup>2</sup>Quoted in Arnold I, 506, from Foster MSS.

<sup>3</sup>*N. Y. Col. Doc.*, III, 537.



toward forming some temporary government of her own. In an open letter, signed by W. C. and J. C., and addressed to "Neighbors and friends", the authors state that since "we are sufficiently informed that our late government, under which we were subservient, is now silenced and eclipsed, we, under a sense of our deplorable and unsettled condition, do offer to you whether it may not be expedient for the several towns of this late Colony, the several principal persons therein, to make their personal appearance at Newport, before the day of usual Election by Charter, which will be the 1st day of May next, there to consult and agree of some suitable way in this present juncture".<sup>1</sup>

Accordingly, on May 1, at a meeting of a body styling themselves a Court of Election, it was determined that their former charter government should be resumed and that all officers, both civil and military, who were in place in 1686 should be re-established in office. A declaration was furthermore adopted justifying their action. We declare, reads the document, "that the late government of the dominion of New England, whereof Sir Edmund Andros was Governor in Chief, as we are certainly informed, is now silenced by reason his person as well as some of his council are seized and confined within the limits of Boston, in New England, for what cause best known to themselves. By which overture, we, the freemen aforesaid, were void of government, the consequence whereof appearing dangerous, we have thought it most safe for the keeping of the peace of our Colony to lay hold of our Charter privileges, establishing our officers according to their former station, hoping and not questioning but through grace and favor, our said Charter according to the extent of it may be confirmed unto us".<sup>2</sup> This declaration they addressed to "the present supreme power of England", admitting that they were "not only ignorant of what titles should be given in this overture, but also not so rhetorical as becomes such personages".

Having thus established a temporary government, they now awaited the turn of events. Andros was a prisoner at Boston,<sup>3</sup> and all New England was gradually recovering its freedom. After a futile attempt to hold an assembly in October, 1689, the Rhode Island authorities

<sup>1</sup>*R. I. C. R.*, iii, 257, under date of April 23, 1689. The signers are undoubtedly Walter Clarke and John Coggeshall. An original in Clarke's handwriting is in *R. I. H. S. MSS.*, v, 29, in R. I. H. S. Library.

<sup>2</sup>*R. I. C. R.*, iii, 266-9, where the proceedings are misdated 1690.

<sup>3</sup>For Andros's escape to Newport and capture, August 3, 1689, see *Andros Tracts*, i, 174, iii, 95-102; Hutchinson, i, 392; *R. I. C. R.*, iii, 258; Randolph Papers in *Prince Soc. Publ.*, xxviii, 295; and *Doc. Col. Hist. N. Y.*, iii, 614-617.

convened a meeting of the freemen in February, 1690. They had previously petitioned the throne for a confirmation of the charter, which was "not condemned nor taken from us", and now sought to place the government on a firm and permanent footing. Since Walter Clarke seemed disinclined to hazard himself in the position of governor, Henry Bull, the old Newport Quaker, was finally chosen in his stead. A full complement of officers was elected, the charter was demanded of the former governor, a colony seal—an anchor with the motto "Hope"—was adopted, and various other items of business were transacted. But these proceedings were not relished by all the inhabitants. There was a certain small party, composed chiefly of Narragansett land owners, who considered themselves somewhat above the rest of their brethren in the colony, had tasted a quiet period of repose under Andros, and disliked any prospect of being under Rhode Island jurisdiction. The leader of this party was the staunch royalist, Francis Brinley. In a letter to his son, dated in February, 1690, he scornfully alludes to Rhode Island's attempts at legislation and says, "It is high time his Majesty would settle a government over New England. We can never govern ourselves with justice or impartiality, unless there be a good government established here, as in other Plantations. I must remove".<sup>1</sup> But if he or his party hoped that Rhode Island's charter would be invalidated by the Andros proceedings, they must have been soon disappointed. On December 7, 1693, after some correspondence on the subject, the attorney-general rendered as his final opinion, "I see nothing in point of law but that their Majesties may gratify the petitioners, and confirm their charter".<sup>2</sup> Although the Rhode Island government was now assured, Brinley did not remove. His landed interests were too large to permit his leaving the colony, so he remained and henceforth endeavored to do as much harm as he could to what he called the "Quaker mob government".

The administration of the New England colonies had at length been decided upon by the crown authorities. The Connecticut and Rhode Island charters were allowed to stand, and Plymouth was united with Massachusetts under a new charter in 1691. The political rights of the colonists of this newly formed province were considerably curtailed, in that the governor was to be appointed by the king, the crown was to have the right of veto, and colonial departments, like the

<sup>1</sup>*R. I. C. R.*, III, 259.

<sup>2</sup>*Idem*, p. 294. A similar opinion had been rendered in the case of Connecticut in 1690. (See Trumbull, I, 387.)

customs and the admiralty, were made directly dependent on corresponding departments in England. This was all in conformity with the king's colonial policy of arraying as united a front as possible against the French in Canada. To that end also, the first governor appointed for the new province was Sir William Phipps, a native of Massachusetts, who favored the crown interests and who had already won a military and naval reputation. He was the precursor of a line of royal governors who, in their endeavor to obtain a concurrent and united action against a common enemy, often encroached upon the chartered rights of the smaller colonies of Connecticut and Rhode Island.

The first controversy between the crown authority and Rhode Island was over the question of militia control. The commission granted to Phipps entrusted him with the command of the militia in Connecticut, Rhode Island, and New Hampshire, and this, of course, clashed with the Rhode Island charter, which gave the colony sole control over her own troops. When Phipps sought to assume his power in this direction over Rhode Island, that colony, after a vain attempt at arbitration, made a formal remonstrance to the king. They claimed that, besides the question of infringement of chartered rights, the abstraction of her military prerogative was very prejudicial to a colony which had such a large water frontier, and that already the advice of certain Narragansett landholders in Phipps's council had been most subvertive of the colony interests. On December 7, 1693, the attorney-general rendered as his opinion that the "power given by the Charter to the government of the colony to train and exercise the inhabitants of that colony in martial affairs is still in force". In August, 1694, the crown, acting upon the advice of the Privy Council, issued a manifesto limiting Phipps's authority to command in times of war such quotas of troops as were required from the colony by royal order.<sup>1</sup>

Another ground of complaint made by Rhode Island at this time to the king was in reference to the eastern boundary line. Since Plymouth was added to Massachusetts under the new charter, any disputes with the former colony would now have to be waged with a much more powerful opponent. When Rhode Island attempted to run the eastern line according to the terms of her charter, Phipps prohibited any such proceedings on account of the obscure wording of the clause and because the controversy was as yet unsettled. Rhode

<sup>1</sup>The documents for the militia question are in *R. I. C. R.*, III, 285-300.

Island, therefore, in preparing her petition upon the militia question, in 1692, asked that the eastern boundary might be explained as running from the old Massachusetts line south to the ocean, at a distance "three miles eastward of the most eastermost branch of the Narragansett Bay". The Massachusetts agents quickly petitioned for a hearing upon the question before it was decided. Unable to arrive at any determination at so great a distance from the locality in dispute, the English authorities, in 1694, recommended a reference of the matter to disinterested parties living near there.<sup>1</sup> This was accordingly done, but no settlement of the controversy was made until half a century later. Occasional attempts of Massachusetts officers to distrain for taxes led to Rhode Island reprisals, and brought about an unsettled condition in the vicinity of the eastern line similar to that which had existed for so many years on the Connecticut border.

In February, 1695, Phipps died, and the government of Massachusetts passed temporarily into the hands of Lieutenant-Governor Stoughton. It was two years before Phipps's successor was chosen, the home government in the meanwhile waiting for some cessation from the Indian wars in the north before making a new appointment. In the interregnum the most important event happening in Rhode Island was the introduction of the bicameral system into the legislature. This move had been proposed many years before by the town of Warwick, and had all but succeeded in being passed in 1666. The deputies, jealous of the power of the assistants, rather considered themselves as a distinct branch of the assembly, even declaring, in 1672, that as the House of Commons is the people's representative in England, so the deputies are the representatives of the freemen here. It was only a question of time when they would be satisfied with nothing but complete separation. On May 6, 1696, they formally desired that the deputies "shall sit as a House of Deputies, for the future, and have liberty to choose their Speaker among themselves, and likewise their Clerk". This was so voted, and henceforth the Governor and his council sat as the upper house of the assembly.<sup>2</sup>

The Narragansett Country during all this time had remained in a strangely tranquil condition. Under Andros's administration, although

<sup>1</sup>Arnold, i, 529; *R. I. C. R.*, iii, 294.

<sup>2</sup>*R. I. C. R.*, iii, 313. See also Moran's *Bicamera System in America* in *J. H. U. Studies*, 13th ser. no. 5, p. 22. Warwick, on Oct. 26, 1664, had petitioned that the Deputies should "meet and sit together and choose their Speaker as a distinct house . . . it being the commendable form used in our native country as well as in the colonies about us". (*Copies of Warwick Rec.*, p. 7, in *R. I. H. S. Lib'y.*)

closely associated with Rhode Island, it had been treated technically as a separate province. Since there was much dispute as to the proprietorship of the territory, Andros, on August 31, 1687, rendered a careful report on all the claims. He rehearsed the different points in the history of the controversy, dismissing the Atherton mortgage claim on the ground that it had been extorted by force for a fictitious debt, asserting that the grant of the territory to Connecticut was cancelled by the subsequent grant to Rhode Island, and making especial allusion to the award of the commissioners in favor of the latter colony.<sup>1</sup> Thus again did the judgment of an impartial arbiter favor Rhode Island, as against Connecticut, in regard to jurisdiction, and against the Atherton purchasers in regard to right of the soil.

Another matter that came up for Andros's consideration, in connection with the Narragansett lands, was in regard to the Huguenot settlements in East Greenwich. The persecutions following the repeal of the Edict of Nantes in 1685 caused great numbers of the most enterprising and skillful Protestants in France to flee to America. They formed settlements at Oxford, Massachusetts, New Rochelle, New York, and elsewhere. In the autumn of 1686 about forty-five of these French families had come to Rhode Island, and on November 4 had purchased of the Atherton proprietors a large tract of land in the northern part of Kingstown. Here two dozen dwellings were soon erected, lands were cultivated, and a church established. Hardly was the settlement begun when the refugees unwittingly became involved in the bitter dispute over the Narragansett lands that had been so long in progress. In July, 1687, some residents of East Greenwich and of Kingstown forcibly carried off forty loads of hay from the Frenchmen's meadows. The Huguenot minister immediately hurried to Boston to make complaint before Governor Andros. When summoned to explain their proceedings, the Greenwich men asserted that the lands in question had been laid out to them nine years before by the Rhode Island government. Andros, unable to make any final decision upon the case, ordered that the cut hay should be equally divided between the English and the French. Although no further encroachment was made upon the settlement during Andros's rule, the precedent thus set was followed a few years later, this time with more harmful results. In the summer of 1691 some inhabitants of East Greenwich, evidently of the more rude and lawless portion of the population, subjected the Huguenots to many annoyances and

<sup>1</sup>*Cal. State Papers, Colonial, 1685-88, No. 1414v. See also Arnold, I, 505.*

indignities. Monsieur Ayrault, the old French doctor, thus quaintly refers to their afflictions: "We were molested by the vulgar sort of the people, who, flinging down our fences, laid open our lands to ruin, so that all benefit thereby we were deprived of. Ruin looked on us in a dismal state, our wives and children living in fear of the threats of many unfriendly persons". He describes how finally the ill treatment became so pronounced that his companions were compelled to flee from the colony, thus being "forced away from their lands and houses, orchards and vineyards".

Rhode Island has been accused, and perhaps justly, of not doing enough to repress such disorderly proceedings. There was some justice in the claim of the East Greenwich men that the Atherton proprietors had unscrupulously sold to the refugees a tract of land to which Rhode Island had the prior claim; but the claimants should have sought retribution by legal means and not taken the law into their own hands. We can excuse to a certain extent the Westerly participants in the broils and frays upon the southwest border, but the injuries inflicted upon these inoffensive Huguenots can only be condemned as hasty and willful. The Rhode Island legislators, although evidently disapproving of these actions, were either too indifferent or else too familiar with such disorders to repress the persecutors with the arm of the law.<sup>1</sup>

After the overthrow of the Andros rule the Narragansett Country lapsed quietly under Rhode Island control, the controversy gradually narrowing down to a dispute over the territory on the extreme southwestern border. Connecticut seemed unwilling to press her claim until she received some assurance from English authorities, and in October, 1694, even desired that Rhode Island would make no incursions on the *west* side of the Pawcatuck. This, if not a tacit admission of the smaller colony's claim to the east side, showed that Connecticut's former bold pretensions were weakened, temporarily at least, by her adversary's persistence and firmness. Rhode Island throughout steadfastly maintained her jurisdiction over the entire territory, appointing minor civil officers, admitting representatives to the assembly, and regulating the town boundaries.

Connecticut's flagging interest in this territory, which had already, as their own deputy-governor had so prophetically told them in 1670,

<sup>1</sup>This subject of the Huguenots in Rhode Island has aroused considerable historical discussion and has been adequately treated in E. R. Potter's *French Settlements in R. I.* (Rider's *Hist. Tracts*, No. 5), E. B. Carpenter's *Huguenot influence in R. I.* (R. I. H. S. Proc., 1885-86, p. 46), and C. W. Baird's *Huguenot emigration to America*, II, 291-328.



cost them more than it was worth, was suddenly revived by an opinion rendered in their favor by the attorney-general. In October, 1696, he reported upon a petition handed in by the Narragansett proprietors over a year previous, that the government of the said country was vested in Connecticut on account of the priority of her charter. Although from the many errors of fact that it contained the document seems to have been carelessly drawn, it was most unpropitious for Rhode Island in that it was chiefly confined to the legal aspects of the case. Rhode Island's claim to the territory was primarily a moral one, and if the dispute had been decided solely by reference to chartered rights, it is doubtful whether she would have received a verdict in her favor. But the reply of the attorney-general was merely the opinion of one man, and before any final action could be taken in the matter, the Rhode Island agent had entered a counter-petition. The result of it all was that no action was taken beyond advising both colonies that the controversy should be settled by arbitration.

Now that a cessation from hostilities with the French on the Canadian border was in sight,<sup>1</sup> it seemed a most opportune time for the crown authorities to impose greater restraints on colonial commerce for the advantage of English merchants. The Navigation Acts, which had been enacted several years before to benefit home markets, had fallen into considerable disuse and needed some strong and energetic administrator to revive and enforce them. If the New England colonists heeded these laws, they could neither procure other than English products nor export to any but English marts; and now, having inspired the fear that they might learn to manufacture for themselves, they were inflicted with a law which forbade the exportation of any wool products, even from one colony to another. The home authorities intended to crush at the outset any possible rivalry whereby the English merchants would lose colonial customers. As a preliminary step to the introduction of the new regime, on May 15, 1696, the management of colonial affairs, which for over two decades had been in the hands of a committee of the Privy Council, was entrusted to the body known as the "Lords Commissioners for Trade and Plantations". Although the ostensible object of this board was to promote trade and improve the plantations, its creation was a clear indication of the policy to follow.

Another matter in the colonies demanding the immediate attention of

<sup>1</sup>The Treaty of Ryswick brought about peace on Sept. 20, 1697.



the home government was the prevalence of smuggling and of piracy. The restraints on colonial trade were so oppressive and yet so easily evaded that the incentive to import goods without paying duties was too tempting to be resisted. Furthermore, during the late war with France, naval operations had been chiefly carried on by a class of vessels fitted out at individual expense, commissioned to attack the enemy of the colony governors, and known as privateers. Since the share that they obtained in prizes was undoubtedly large, the close of the war found these vessels most unwilling to give up their lucrative trade. Some of them turned to preying upon any foreign commerce that they met with, until it finally became a recognized fact that the distinction between privateering and piracy was being quite disregarded. The English authorities complained, and perhaps rightly, that colonial governors issued commissions to known pirates, that American ports served as harbors of refuge for these transgressors of the law, and that the trade was one of which men high in colonial office were the silent, if not the open, abettors.

These pressing needs, combined with the necessity of obtaining a better state of colonial union, required the appointment of a general governor who would be a fearless and energetic observer of duty, and one who was not in sympathy with the desires and aspirations of the colonists. A man of this sort was found in the person of Richard Coote, Earl of Bellomont. In June, 1697, he was commissioned as governor of Massachusetts and New Hampshire, and also of New York, thus consolidating to a greater extent the northern colonies.

One of the first cares was to repress the piracy which existed throughout the colonies, and in which Rhode Islanders, according to contemporary letters, were considered the worst offenders. Indeed, nearly all the transactions which Rhode Island was to have with Bellomont during his short rule were to be in regard to this one matter. Nor was her reputation in this respect entirely undeserved. Many of the letters written in denunciation of her conduct, it is true, were drawn up by her enemies. Governor Fletcher, of New York, displeased because of her refusal to send him troops, wrote in 1696: "Rhode Island pays no obedience to any command from the crown", and men like Randolph, Brinley, and others were ever ready to convert a rumor of her misbehavior into accepted fact. But there is scarcely a doubt that the commodiousness of her numerous harbors, the independence and habitual fearlessness of those of her inhabitants who followed the sea, and the inability of her lawmakers to enforce all of their decrees, contributed to make the colony a notorious resort

for privateers and pirates. Even before Bellomont's appointment the Board of Trade had written to Rhode Island in February, 1697, cautioning her that "due care should be taken for the future, that no pirates or sea-robbers be anywhere sheltered or entertained, under the severest penalties". Thus the letter continues: "We are obliged, in giving you this notice, to recommend it so much the more particularly to your care, by reason that upon occasion of the late trials of some of Avery's crew here, several informations have been transmitted to us, wherein mention is made of Rhode Island as a place where pirates are ordinarily too kindly entertained; some of the expressions in those papers are as follows:

" 'William Mews, a pirate, fitted out at Rhode Island. Thomas Jones is concerned in the Old Bark, with Captain Want, and lives in Rhode Island. Want is gone into the Gulf of Persia, and in all probability is either at Rhode Island or Carolina by this time. Want's wife lives there. Want broke up there about three years ago, after a good voyage, and spent his money there, and in Pennsylvania.'

" 'These, and such like things, we say, obliges us to more strictly require of you that an extraordinary care be henceforwards taken in that Island for the preventing and suppressing such like practices; and particularly that all persons who are anyways involved in that guilt, be sought out and punished, according to the utmost severity of the law; of which we expect a particular account''.<sup>1</sup>

A few months later, in April, 1697, came another letter of complaint, this time in regard to Rhode Island's neglect to prosecute those who evaded the payment of duties and customs. The colony, to be sure, had enacted, in July, 1696, that no vessel owner could procure a commission unless he gave a bond of one thousand pounds that he would "not proceed upon any unlawful act". But as the king now wrote, the present "abuses must needs arise, either from the insolvency of the persons who are accepted for security, or from the remissness or connivance of such as have been, or are Governors''.<sup>2</sup> Since the letter further threatened Rhode Island with forfeiture of her charter, if the trade laws were continued to be evaded, it can be easily seen that the matter was assuming considerable importance in the eyes of the English authorities.

The foregoing extracts sufficiently show to what an extent Rhode Island was engaged in this illegal traffic. Bellomont spent the first

<sup>1</sup>*R. I. C. R.*, III, 322.

<sup>2</sup>*R. I. C. R.*, III, 326. Even as far back as 1683, Governor Coddington had been accused of refusing to arrest certain pirates. (See *R. I. H. S. Publ.*, VII, 196.)

year of his administration in New York, not arriving at Boston until May, 1699. In the meanwhile the subject of piracy continued to occupy the attention of the Rhode Island colonists to the exclusion of most other matters. Brenton, her London agent, returned in January, 1698, armed with two important papers—one appointing a commission to administer to Governor Clarke the oath concerning the acts of trade, and the other establishing a court of admiralty, of which Peleg Sanford was to be judge and Nathaniel Coddington register. Clarke, on the ground that he was a Quaker, absolutely refused to take the oath, and also tried to oppose in every way the appointment of Sanford as judge. Brenton immediately forwarded an account of these transactions to the Board of Trade and urged that a warrant be issued against Clarke, who, it must be confessed, had shown great lack of tact in the affair. Obstinate assertive of his supposed rights and openly opposed to the royal interests when Rhode Island most needed royal protection, it is a matter of little surprise that we find Clarke displaced before another meeting of the assembly by a new governor. With him the Quaker government in Rhode Island may be said to have come to an end.<sup>1</sup>

The new administration, at their first meeting in May, 1698, took steps to repress piracy. They passed a law requiring the officers to arrest any persons with suspicious amounts of foreign coin or merchandise in their possession, and issued a proclamation warning the people not to harbor pirates or receive their goods. Governor Cranston also wrote a letter to the Board of Trade, in answer to the long letter of complaint received over a year before. He did the best thing that could be done in the matter, expressing ignorance of the pirates specifically named, and asserting that Rhode Island never countenanced any such illegal proceedings. But within a few weeks another letter was sent to England, slightly embarrassing these attempts at justification. Randolph, the old enemy of Rhode Island, and New England as well, stopped at Newport on his return from New York and wrote a most bitter and vindictive account of proceedings as they appeared to his eyes. After alluding to the contest between Brenton and Clarke, he began an assault upon the highest office-holders. "The Governor and his two uncles", he said, "have been very great gainers

<sup>1</sup>*R. I. C. R.*, iii, 329-331. Although the Quaker government may be said to have come to an end, an informer of the Board of Trade asserted, in 1699, that "Mr. Cranston was one of the demi-Quakers only put in to serve the Quakers" (Palfrey, iv, 236), and Randolph wrote, in 1700, that "Cranston is the present Governor, but the Quakers have the sole administration of the Government". (*Prince Soc. Publ.*, xxix, 253.)

by the pirates which have frequented Rhode Island. Three or four vessels have been fitted out from thence to the Red Sea. Walter Clarke, the late Governor, and his brother, now the Recorder of the place, have countenanced pirates and enriched themselves thereby''. The letter ended with a tirade upon Rhode Island lawlessness.

In December, 1698, the Board of Trade submitted a formidable representation to the king about the irregularities in Rhode Island. It was a general attack upon their refusal to take oaths, their unlawful assumption of admiralty power and obstruction to the court erected by the king, and their encouragement of piracy. "Their favoring of pirates and carrying on illegal trade has been so often complained of, and the instances hereof are so manifest, that we cannot doubt the truth of it''. Upon a reading of this document, it was ordered that the Earl of Bellomont be commissioned to procure legal evidence in relation to the charges, with a view toward "a *Quo Warranto*, or such other proceedings for a remedy for those evils''. The commission instructed Bellomont to inquire into the provisions of their charter and laws, as well as into their so-called "irregularities'', and was accompanied by a specific list of questions to be propounded to Clarke, Greene, Easton, Sanford, and Cranston.<sup>1</sup>

In September, 1699, Lord Bellomont started out for Newport to inquire into the mal-administration of Rhode Island. He was met at Portsmouth by the Governor and the assistants of the colony, accompanied by a small troop of horse, and was escorted to Newport. He carefully records in his journal the details and results of his week's visit, and narrates how he examined the various officers of the government, interrogated as to the charter and laws, heard testimony concerning the Narragansett Country, and made a thorough investigation in regard to piracy. Two months after his return to Boston he sent in to the Board of Trade a report on the state of affairs in Rhode Island. This document specified under twenty-five distinct heads wherein he judged that the colony had practised irregularities of

<sup>1</sup>The instructions are in *R. I. C. R.*, iii, 363. Bellomont, who had remained in New York during the first year of his administration, arrived in Boston, May 26, 1699. The following day Cranston wrote a long letter to the Board of Trade, enclosing a few copies of documents and asserting the falsity of Randolph's reports. This diplomatic attempt at justification was answered by the Board of Trade with a letter of reprimand, rebuking the Rhode Islanders for not sending authentic copies of their laws, accusing them of "shuffling in their correspondence", and assuring them that "unless such a reformation be sincerely set about, you will inevitably fall into such inconveniencies as will make you sensible of your miscarriages, when perhaps it may be too late". (*Idem*, p. 376.) Lord Bellomont wrote that this reproof was a "mortification to them."

government and had transgressed their chartered powers. Of course the subject of piracy occupies a prominent place, his finding being that "the government is notoriously faulty in countenancing and harboring of pirates, who have openly brought in and disposed of their effects there, whereby the place has been greatly enriched. And not only plain breaches of the Acts of Trade and Navigation have been connived at, but also manifest and known piracies; and all that has been done by them on pretence of seizing and taking up of known pirates has been so slender, weak and not pursued to effect, as plainly demonstrates it was more in show, than out of any hearty zeal or desire to suppress and bring such notorious criminals to justice."

The frequent spiteful remarks he makes about the social condition of the Rhode Islanders show that they had little to expect from his friendship, and also that some of the so-called royalist faction in the colony had made good use of their opportunity to pay back old scores.<sup>1</sup> Such statements as "The generality of the people are shamefully ignorant, and all manner of licentiousness and profaneness does greatly abound", the attorney-general is "a poor illiterate mechanic, very ignorant", and "the assistants are generally Quakers, illiterate and of little or no capacity, several of them not able to write their names, or at least so as to be read", remind us of the denunciatory epithets of the early Massachusetts clergy, and show that, even if they were partially true, this courtly English lord could have little understood the primitive conditions in the New World. A matter of much more moment to the Rhode Island people, however, and one which promised seriously to threaten the existence of their charter, was the charge Bellomont brought against them of acting beyond their granted rights. He assumed that their electing of officers by proxy, the exercise of judicial power by the general assembly, the assumption of admiralty jurisdiction, and even the levying of taxes were all irregular and illegal because there was no express authority in the charter for so doing. The question as to whether they had transcended their power or not is surely debatable, since the charter permitted them to make laws for their own "good and welfare". But, right or wrong, the query raised operated much to Rhode Island's disfavor in the eyes of the Board of Trade. They had commissioned a competent person to make an investigation and had received from him a report

<sup>1</sup>Bellomont leaves little room for doubt as to who are meant when he refers to the "several gentlemen most sufficient for estate" who are neglected in office and maligned for their affection to his Majesty's service; and he even mentions Brinley as one of those who make particular complaint against irregularities of government.

the substance of which was expressed in its concluding sentence: "I apprehend his Majesty is neither honored nor served by that government as at present it is managed". A few more blows like this, and Rhode Island's struggle would be ended.

During the next few months, while the matter was undergoing consideration in England, the different parties in Rhode Island were each endeavoring to obtain the favor of Lord Bellomont. Governor Cranston wrote, apologizing for not sending the required transcripts of the laws, and concluding that his "Lordship had taken some displeasure against us"; while former Governor Clarke sent along a letter that would to-day be considered a rather strange combination of religion and flattery. The letters of the Brinley faction contained much more substance than those of their opponents, since to bring charges was evidently easier than to make excuses. Peleg Sanford wrote a skillfully worded letter, chiefly about the pirates and the infringement of charter privileges. Resentfully did he assert: "Let a man's intentions be never so resolved faithfully to discharge his Majesty's commands, it's not to be effected so long as the government remains as now constituted". Brinley himself, who had been requested by Bellomont to aid in obtaining a transcript of the Rhode Island laws, sent frequent letters of complaint. When he found that Cranston had forwarded a copy without giving him notice, he drew up a severe arraignment of Rhode Island legislation in general, and of several arbitrary acts in particular. "We are well satisfied", he says, "that the laws are not transcribed as they stand on record. There are more acts, perhaps one-third or more, that they sent not unto your Lordship, having thrown them aside, and passed an act that those sent are our body of laws, to the deception of his Majesty and the grievance of the subjects, who have suffered and have been kept in bondage under laws they are ashamed should be seen. . . . We dare not presume to give your Lordship a further account of our miscarriages, for fear our report should not gain credit with your Lordship; our enormities being so great and numerous, may surpass belief. . . . As we are, we are not fit nor capable to be a government".

With all this amount of evidence against Rhode Island in his possession, Bellomont made occasional mention of the colony in his reports to the home government. In one of his letters he says: "I received not the laws of Rhode Island til the 23rd of last month, which I now transmit to your Lordships; it seems that government has taken all this time to prune and polish 'em. And yet after all, I believe the



world never saw such a parcel of fustian''. Brinley's frequent allusions to the oppressions of himself and his friends in Narragansett Country also attracted Bellomont's attention. He refers to the "great violence done the people there by the government of Rhode Island, in levying taxes on them out of all measure and proportion. That people is much to be pitied, for I look upon them to live in a state of war, while the rest of the King's subjects live in peace and quietness".<sup>1</sup>

On April 8, 1700, the Board of Trade took action upon Bellomont's report. They sent an abstract of the document to the king and recommended that it be referred to the law officers of the crown, "to consider what method may be most proper for bringing the colony under a better form of government''. In fact, the arbitrary acts of all the chartered colonies, and of Rhode Island in particular, led the English officials to believe that they were "thirsting for independence''. The Lords of Trade, in a report to the king, asserted that those colonies which had charters "had not only assumed the power of making by-laws repugnant to the laws of England and destructive to trade, but they refused to transmit their Acts, or to allow appeals, and continued to be the retreat of pirates and illegal traders, and the receptacle of contraband merchandise"; that "these irregularities, arising from the ill use they made of their charters, and in the independency they pretended to, evinced how necessary it became, more and more every day, to introduce such a regulation of trade, and such an administration of government, as should make them duly subservient to England"; and that, "since the royal commands had not met with due obedience, it might be expedient to resume their charters, and to reduce them to the same dependence as other colonies, which would be best effected by the legislative power of the kingdom."<sup>2</sup>

Governor Cranston, foreseeing the storm that was impending, wrote a letter to the king, imploring pardon for failures and weaknesses and begging a continuance of charter privileges. He also informed the Board of Trade that the late deputy-governor had been deprived of office on account of his illegally granting privateer commissions, and that a more perfect copy of the laws was to be made and sent under seal. But all his excuses and supplications could have scarcely stood ground against the complaints of Rhode Island's enemies, had not a sudden event deprived the colony of her most formidable opponent. The death of Lord Bellomont in New York, on March 5, 1701, removed

<sup>1</sup>Bellomont's Journal, Report, and all the above correspondence are in *R. I. C. R.*, III, 385-400.

<sup>2</sup>Palfrey, IV, 200.



a powerful adversary, one who, in his charges, aimed at the most vital defects of her government, and who would never allow his persistence to be weakened by entreaty or adulation. The influence of the accusations which he had already made might even yet have worked harm to Rhode Island, had not another death occurred before the end of the following year. Scarcely had the board recommended that the colonies be reduced to a state of dependency, when the king's death, in March, 1702, changed the whole course of events and postponed all consideration of the subject.

Rhode Island had passed through the most dangerous crisis in her history. As Arnold remarks, "That she was not utterly crushed beneath the cumulative evidence of every kind of irregularity that was hurled upon her by the indefatigable zeal and the consummate ability of Bellomont, can scarcely be accounted for by any human agency. It is the greatest marvel in the history of Rhode Island in the seventeenth century".<sup>1</sup> How far she can be held responsible for the several charges made against her is a question of considerable doubt. As regards piracy, it was certainly never proved that the colony as a whole favored this illicit trade. That persons claiming residence in Rhode Island were engaged in the traffic, and that certain ones high in authority may have used their office to obtain money from those so engaged, may perhaps have been true; but that there was any actual complicity between the colony as a government, and the pirates, as was so often charged, was never shown by any letter or report submitted to the English authorities. The commodious harbors of Narragansett Bay naturally served as a shelter for the privateers and later for the freebooters, while the ease with which commissions could be obtained, both during and after the war, brought many adventurers to Rhode Island who reaped rich rewards at the expense of the colony's reputation.<sup>2</sup>

The charges which Rhode Island found it more difficult to answer were those which Bellomont made regarding her general infringement of charter privileges. Only unless we accept his interpretation of these privileges as correct, can we agree with him that Rhode Island was at fault. Though ignoring the discretionary power which the colony legally possessed, he would have construed the charter as virtually depriving the people of all rights of self-government. The

<sup>1</sup>Arnold, i, 552.

<sup>2</sup>Randolph, writing in 1700, reported that "7 or 800 buccaneers in the West Indies were resolved to get possession of Rhode Island, being a place abounding in provisions". (*Prince Soc. Publ.*, xxix, 253.)

English authorities, when they had granted certain privileges to a straggling settlement, could not seem to understand how that settlement could exercise those very same rights after it had attained to a full-grown colony.

Although Rhode Island had emerged from all these dangers unimpaired, she can scarcely be said to have become invulnerable to her enemies. Her independence, her unusual privileges accorded by charter, and her persistence in maintaining what she believed to be her rights, led her into further controversies with the royal governors, and rendered her future still a matter of considerable uncertainty. She had entered upon the beginning of a new century, but she had by no means finished her struggle for existence.

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## CHAPTER XI.

### THE ADMINISTRATION OF GOVERNOR CRANSTON.

The death of Bellomont, although warding off for the time being the almost sure revocation of Rhode Island's charter, did not entirely free the colony from possible danger. The person chosen to succeed that aggressive official was the able and energetic Joseph Dudley, who, now that he had the royal authority behind him, could make atonement for some of the indignities that he had suffered under the Andros revolution ten years before. There was one point in his commission that was of vital interest to Rhode Island—that clause which made him Captain-General of her forces and Vice-Admiral of her whole territory. One of his first duties, in September, 1702, was to visit Newport, accompanied by several members of his council, to assume his command. Governor Cranston referred him to the charter of 1663, which made the power over the militia one of the privileges of the colony, and further said that nothing would be done about yielding those privileges until the advice of the assembly had been asked. Angered at this refusal to obey his commands, he went over to the Narragansett Country, where the inhabitants cordially welcomed him and accepted his commission. A few days afterward, the assembly wrote Dudley that since there were no express orders from the Queen demanding the surrender of the militia, they considered it their duty

to continue the same as formerly. Dudley, like the other royal governors before him, could not conceive how so small a colony could offer such bold resistance, and quickly wrote home his opinion of that government, thus again imitating his predecessors. His assertion that the Quakers "raved indecently" at the publication of his commission, and his pleasant allusion to the Narragansett welcome, show that the anti-Quaker element was not backward in volunteering information. The peroration of his report reminds us strongly of some of Lord Bellomont's documents. "My Lords", he says, "I am humbly of opinion that I do my duty to acquaint your Lordships that the government of Rhode Island in the present hands is a scandal to her Majesty's government. It is a very good settlement with about two thousand armed men in it. And no man in the government of any estate or education, though in the province there be men of very good estates, ability and loyalty; but the Quakers will by no means admit them to any trust, nor would they now accept it, in hopes of a dissolution of that misrule, and that they may be brought under Her Majesty's immediate government in all things which the major part by much of the whole people would pray for, but dare not for fear of the oppression and affront of the Quakers' party making a noise of their charter".<sup>1</sup>

Thus did Rhode Island obtain the enmity of Dudley at the very beginning of his administration. It was not long before another test was to be made of their respective powers. In September, 1702, the Massachusetts Governor, by virtue of his position as Vice-Admiral, attempted to interfere with the proceedings of the admiralty court at Newport, which had been established by a colony law of 1695. Rhode Island's resistance brought forth the usual condemnatory letter to the Board of Trade. A year later Dudley's efforts induced the Board of Trade to ask the attorney-general's official opinion as to whether Rhode Island's exercise of admiralty jurisdiction did not furnish sufficient cause for the repeal of the charter. That officer replied that since the act was limited in its terms "until His Majesty's pleasure be further known", it did not warrant a forfeiture of the charter, but advised that the colony should be ordered to repeal the act. This was accordingly done and all admiralty affairs were placed in the hands of Dudley. Since the reasons for the annulling of the act included several serious charges against Rhode Island, the Governor took occasion to write a letter of explanation to the Board of Trade,

<sup>1</sup>*R. I. O. R.*, III, 463.

showing that the absence of any English constituted court made the creation of a local court for the judging of prizes a necessity.<sup>1</sup> But even valid excuses could not make much headway against Dudley's charges, and when the New York Governor reported that Rhode Island had refused to help him in his war against the French and Indians, the colony's name was regarded with added disfavor. Little could she do when such powerful enemies at home and abroad were striving to bring all the chartered colonies into a general colonial government. She, at least, was not the only colony under a cloud, as Connecticut was visited with much similar denunciation with the same end in view.

By February 12, 1705, the Board of Trade had prepared charges against both colonies and caused copies to be sent to the Royal Governor to collect evidence and to the colonial governors to make ready their defence. The indictment against Rhode Island was drawn up under thirteen heads, some of which were repetitions and only a few important. Dudley spent much time in obtaining proof to sustain each charge, and finally submitted a mass of forty-two documents, which must have looked formidable to any one unacquainted with the subject, but which were chiefly accusations against irresponsible individuals and not against the colony.<sup>2</sup> The charge that Rhode Island neglected the acts of navigation and countenanced piracy the colony denied, asserting that they not only detested such practices but had endeavored to suppress all such crimes. To the charge that Rhode Island harbored malefactors and also young men from other colonies who were induced to go there because the colony raised no taxes for the "support of her Majesty's Government and maintaining the war against the French", the colony replied, "this her Majesty's colony is free for any of her Majesty's subjects to come and inhabit there, nor is it in the respondents' power to hinder or prevent them therefrom, and further say that where one person or family hath removed out of other provinces or colonies into this, there hath five times the number gone out of this colony and settled in other provinces. The which we deem to be the privilege of every English subject; and we do deny that any considerable number of young men hath fled out of other provinces into this colony or have been anyways harbored or sheltered in the same; or that no rates or taxes are raised in this

<sup>1</sup>*R. I. C. R.*, iii, 508. The admiralty act is in Arnold, ii, 48.

<sup>2</sup>Dudley's "proofs" can be consulted in the copies of English records in the John Carter Brown Library. The charges and Rhode Island's answers are in *R. I. C. R.*, iii, 543-549.

colony for the support of her Majesty's interest and government, but on the contrary say that they have been at more than six thousand pounds charge within this seven years in fortifying and other charges occasioned in maintaining and defending her Majesty's interest against the common enemy and support of the government.

"As to the fourth article that this colony will not furnish their quota, for answer we say that they are advised by counsel learned in the law that they are not obliged by law to furnish the other provinces or colonies with any quota, nor do they apprehend there is any necessity for the same. Notwithstanding which, obedient to her Majesty's commands, they have furnished the province of Massachusetts with a considerable quota of men to the considerable charge of the colony.

"As to the ninth article, that the government have refused to submit to her Majesty's commissions for commanding their militia of said colony, the respondents say that they are advised by counsel learned in the law that the militia of said colony, or the power of commanding thereof, is fully granted them by their charter, and that they have been in possession of the same above forty years: And as to the vice-admiralty these respondents further say, they have fully complied with Her Majesty's commands in that behalf, saving to themselves their right granted by charter for granting commissions to private men-of-war for the defense of Her Majesty's interest."

The remainder of the charges, which concerned denial of justice to strangers, rejection of the laws of England from their courts, refusal to allow appeals to the king, speaking disrespectfully of her Majesty, etc., they considered as frivolous. The replies have been given with some detail, since they show how clear was Rhode Island's defence, and how far her accusers had to go to trump up charges against her. Dudley had furtive hopes of becoming a second Andros, of ruling over a united New England, and when he found that the Lords of Trade did not look with disfavor upon his project, he redoubled his efforts. The great obstacles in his path were the colonial charters, and some pretext had to be found for their annulment.

The Board of Trade, their minds intent upon the "advantages and conveniences that may arise by reducing the chartered government", paid no attention to the colony's replies, but reported the gist of Dudley's charges to the Queen. The attorney and solicitor-general, furthermore, rendered it as their opinion that "upon an extraordinary exigency happening through the default or neglect of a proprietor or of those appointed by him, or their inability to protect or defend the province under their government and the inhabitants thereof in times

of war or imminent danger, your Majesty may constitute a governor of such province or colony". Finally, in February, 1706, a bill "for the better regulation of the charter governments and for the encouragement of the trade of the Plantations" was sent in to pave the way.<sup>1</sup> It passed the House of Commons, but failed to obtain the concurrence of the Lords. The presence of matters of greater national importance prevented the matter from again being brought to issue.

Thus again was Rhode Island's charter saved. One cause certainly of England's unwillingness to take such decided steps was the lack of unanimity among the high authorities over the methods of restraining the colonies. There was a certain class which regarded these colonies as contributors to British commercial supremacy, even again referred to their dangerous encouragement of woolen manufactures, and looked suspiciously on colonial attempts at independence. It was this class that considered the infringement of the Acts of Trade a sufficient cause for the revocation of the charters. There was another class, chiefly the conservatives, which thought that legal embarrassments stood in the way of annulling these charters, even if they had been issued by a former reign that was not now in the best of credit. Nor should the efforts of the agents be overlooked in this triumph of the rights of the chartered colonies. In 1702, Rhode Island, being without a regular colony agent, had intrusted her affairs into the hands of William Penn, the famous Quaker, who was now high in favor at the court of Queen Anne. Henceforth he lent his powerful influence to her cause, and at this particular time there were certain reasons why his aid was of especial value. Influential members of the Quaker sect were making common cause with the enemies of Connecticut, but through the light of Penn's eyes they speedily saw that the ruin of that colony meant the ruin of Rhode Island.<sup>2</sup> Thus did the much condemned liberality exercised in the time of Roger Williams receive its lasting reward.

Although this defeat did not render the colony charters secure from all future dangers, Rhode Island's enemies accepted the temporary issue and ceased their persecutions. Dudley acknowledged some slight military aid given him by the colony and reported that he henceforth hoped to maintain a good correspondence with the government. Brinley, discomforted by the failure of his hopes, was secretly striving

<sup>1</sup>Palfrey, iv, 369. The reports of the Board of Trade and the Attorney-General are in *R. I. C. R.*, iv, 12-16.

<sup>2</sup>This question of the Quaker influence in New England politics is more thoroughly discussed in Doyle's *Puritan Colonies*, II, 400.



to disengage himself from the jurisdiction which he despised. In 1709 he wrote to Sir Francis Nicholson, the former governor of Virginia: "I could exceedingly rejoice if your honor could unite us under a government whereof you were supreme next under Her Majesty. . . . It is all the hopes I have by your honor's means to have a release of our slavery and ill treatment". He then continues to justify his argument with uncomplimentary remarks about the government he desires to displace. "It is a Quaker mob government, the meanest sort rule their betters. I much question whether two persons in the ruling part of their government can write true English or frame a writing in any methodical way. I know them all well and know their abilities. Some of our highest rank in authority cannot write, and some in authority cannot read. We have now in our town of Newport three justices of three several trades; a shoemaker, a cooper and a carpenter, and each of them is a captain of a company, and the cooper is our general treasurer. We lie under great grievances and pressures and it is very hard upon us that we can have no remedy".<sup>1</sup> The old Narragansett settler realized that unless the Rhode Island government was supplanted by some friendly royal authority, he could never hope to get his numerous land titles confirmed in accordance with his wishes. But Rhode Island had weathered too many storms to be overthrown by the carpings of a few discontented men, and so Brinley's protest went for naught.

One reason at least why Rhode Island was now coming to be regarded with more favor was due to her evident exertion to take some part in the wars that were being waged against the French and Indians. Not being in immediate danger, she, in common with Connecticut, was not so eager to send volunteers to an unprofitable war as were the exposed colonies of New York and Massachusetts. True it was that she had plausible excuses in that she had already incurred serious charges in fortifying her own forts, and that her long water frontier required the maintenance of large bodies of men in her own territory. But it was the absence of necessity rather than inability that caused her backwardness in the matter. Dudley impatiently referred to Rhode Island when he said that the people of Massachusetts felt "very uneasy under their charge of service in the field, while others of her Majesty's subjects sleep in security and smile at our

<sup>1</sup>*R. I. H. S. Publ.*, viii, 95. Nicholson commanded the expedition upon Canada in the summer of 1709. He had been the principal patron in the founding of Trinity Church at Newport, and it was perhaps in this connection that Brinley could lay some claim to his acquaintance.



losses and charge''; and he frequently alludes to the matter in his report, as passages already quoted have shown. When the colony observed, however, that her defect in this regard was being used as an argument for the revocation of her charter, she became more attentive to military operations. The assembly had occasionally ordered some slight assistance after continued urging by the royal governors, but now, in February, 1707, when Dudley asked for aid in his proposed expedition against Nova Scotia, it quickly voted eighty volunteers and a vessel equipped to convey them. Again in the unsuccessful expedition upon Canada in the summer of 1709, Rhode Island levied a war tax of £1,000, equipped two hundred soldiers, purchased two war vessels and fitted out several transports. Undismayed by this failure, which had put the colony to heavy expense, Rhode Island contributed an equal number of men and transports to the expedition of July, 1710, and also to that of the following May.<sup>1</sup>

Her services so far had been most creditable, but in common with the other colonies she had suffered greatly both through loss of men and outlay of money. To meet these heavy expenses she had been compelled to imitate the neighboring colonies in issuing paper money.<sup>2</sup> The soldiers needed money, the treasury was empty and the supply of silver coin was practically exhausted. Some temporary move, at least, had to be made, and so this apparently harmless little wedge was lightly driven in, destined in the end to almost split the colony in twain. The act ordered that £5,000 in bills of credit should be printed with different denominations, each bill to have the value of current silver money of New England. They were to be redeemed in specie by the treasurer at the end of five years, the sum to be secured by an annual tax levied solely for the purpose. As Arnold says, "Thus commenced in Rhode Island a system of paper money issues fraught with disaster to the commercial interests of the colony, whose baleful influence was to extend over nearly a century, distracting alike the political, financial and even the social condition of the people, and which was to be the occasion of most bitter partisan strife long after the Revolutionary war had left us an independent state. If we except the principles upon which the colony was founded, and which from their intrinsic truth have since become universal, this

<sup>1</sup>The details of military appointments are in *R. I. C. R.*, iv, 70-82, 93-98, 120-124. The subject is gone into more thoroughly in the chapter on military history.

<sup>2</sup>Bills of credit were first emitted by Mass. in 1690, by N. Y. in 1709, and by N. J. in 1709. See Potter and Rider's *Account of Bills of Credit of R. I.*, p. 7.

adoption of the paper money system is perhaps the first act of our colonial legislation whose influence extends beyond the period of independence''.<sup>1</sup>

This wasting war, known to the colonies as Queen Anne's War, was rapidly drawing to a close, and the Peace of Utrecht, in April, 1713, finally brought a most welcome end to the conflict. Rhode Island took early opportunity to lay aside her trappings of war. The military stores and the powder were given over into the treasurer's charge for safe keeping, and the cannon were tarred and laid on logs on the Governor's wharf. She now found time to give more attention to her internal affairs. Questions of town boundaries, of the long delayed Digest of the laws, and of the improvement of ways of travel came up for discussion, that never would have been possible before. The records teem with allusions to the construction of highways and bridges, the erection of ferries, and the paving of streets. Various kinds of manufactures, as of hemp, duck, cordage and nails, were granted legislative encouragement. The laws regulating trade began to receive much necessary revision, for Rhode Island was slowly but surely becoming a maritime colony. Whereas in 1690 there were scarcely five vessels belonging to the colony, when Governor Cranston made his report to the Board of Trade, in 1708, there were twenty-nine; and during the ten years preceding this latter date the colony had built for the merchants of other colonies nearly seventy-five vessels. As Cranston stated in regard to this increasing interest in shipping, "It is chiefly to be attributed to the inclination the youth of Rhode Island have to the sea. The land on said island, being all taken up and improved in small farms, so that the farmers, as their families increase, are compelled to put or place their children to trades or callings; but their inclinations being mostly to navigation, the greater part betake themselves to that employment, so that such as are industrious and thrifty, as they get a small stock beforehand, improve it in getting part of a vessel, as many of the tradesmen in the town of Newport also do, for the benefit of their children that are bred to navigation, in which town consists the chiefest of our navigation: not above two or three vessels belong to all the colony besides."'<sup>2</sup>

This interest in commerce continued to increase after the Peace of Utrecht, almost doubling the tonnage of the colony within the following ten years. Her vessels carried rum, sugar, molasses, lumber,

<sup>1</sup>*Hist. of R. I.*, II, 39.

<sup>2</sup>*R. I. O. R.*, IV, 56-60.

horses and provisions to both the British and Dutch West Indies, to Bermuda, the Bahamas, Surinam, Madeira, the Azores and the southern colonies, and brought back salt, rice, sugar, molasses, wines, peltry, cotton, and English woolen and linen goods. Such an increase in commerce meant a corresponding increase in population. In 1708 the first official census showed that the colony contained 7,181 inhabitants, with Newport, "the metropolis of the government", possessing 2,203, Providence 1,446, Kingston 1,200, and the remaining six towns from 200 to 600 each. Dudley in 1712 reported that Rhode Island had about 2,500 fighting men, and when after the peace this force had time to settle down and make provisions for their own social and economic betterment, the results must have been indeed striking.

But in it all there lurked the shadow of the paper money question. Since the first issue in 1710 the assembly had emitted four other issues before the end of the following year, amounting in all to £8,300. The influx of all this paper had placed what silver there was in the colony at a decided premium, and the necessity of furnishing some medium of exchange was rapidly becoming an all-absorbing question. It was but a short while before the matter assumed political significance. As money continued to be scarce, there arose a considerable party which favored the further issue of paper money by the public bank system—that is, the emission of a large sum to be loaned at interest to any one who would give mortgage security on his estate. This party was chiefly composed of those who owned a great deal of land and thus hoped to turn it into cash, and also of those who were actively engaged in commercial pursuits, the success of which depended upon the ready money in the colony.

The specie or "hard money" party foresaw nothing but evil in the continuance of such a medium of exchange. In February, 1714, the order of the general assembly that £2,000 of the outstanding bills should be put out of circulation by being burnt was not obeyed. This aroused much protest, and at the succeeding May election the specie party won a complete triumph, scarcely a member of the lower house being returned to his office. The paper money party evidently used the following year to advantage, since, in May, 1715, they thoroughly reversed the former success of their opponents. The deputy governor, all but one of his assistants, and nearly every deputy were displaced. The popularity and perhaps the neutrality of Governor Cranston, however, kept him in office. With the control of affairs in its hands, the party carried out its policy as it wished. In July, 1715, the assembly, giving as reasons for their act the heavy expenses of the

late war, the decay of trade and of farming, and the necessity of repairing the colony fort and the Newport jail, issued a bank of £30,000, to be loaned at 5 per cent. interest for ten years. The colony was thus committed to a course of action which it took many decades to change. The specie party made frequent protests, but when some expenditure of money was required, another lot of bills of credit was issued, and the necessary medium of exchange was provided. There is not space here to note the many successive issues of this currency.<sup>1</sup> Suffice it to say that although it rapidly depreciated, ruining many individuals in the process, it usually served the purpose for which it was originally emitted. Its depreciation was due to the inability of the government, beset with constantly increasing expenses, to maintain it. The evils of the system were visited heavily upon many individuals and resulted in tarnishing the colony's good name, but those who were committed to the policy, testified heartily in its favor. Gov. Richard Ward in a general survey of the subject, in 1740, referred to the absolute necessity of some kind of currency, if only of paper, and then remarked, "We never should have enjoyed this advantage had not the government emitted bills of credit to supply the merchants with a medium of exchange. In short, if this colony be in any respect happy and flourishing, it is paper money and a right application of it that hath rendered us so".<sup>2</sup>

Outside of the question of paper money, there was very little public business transacted in the colony between 1713 and 1719. Changes in other governments, like the death of Queen Anne and the succession of George I in 1714, and the appointment of Shute as Governor of Massachusetts in 1716, were not fraught with such momentous consequences as were similar changes a few years before. There was so little of public interest to be attended to, that a September meeting of the assembly at Newport in 1717 could not obtain a quorum, and an October meeting of the following year was held at Providence with the Governor and nearly one-half of the members absent.<sup>3</sup>

By 1719 the old question of boundaries was again coming to the

<sup>1</sup>The subject is more thoroughly discussed in H. K. Stokes's chapter on financial history. It has been treated in monograph form in Potter and Rider's *Account of Bills of Credit of Rhode Island*. (Rider's *Hist. Tract*, no. 8.)

<sup>2</sup>Rider's *Hist. Tract*, viii, 158. Ward's statement, however, should be considered only as that of a strong partisan.

<sup>3</sup>One item of interest, however, was the long delayed publication of the colony laws in 1719. For a history of the various attempts to secure a compilation of the laws in force, see Rider's introductions to the reprints of 1705 and 1719.

front. The improvement in the state of society and the increase of Rhode Island's stability prevented border frays from being as frequent as in the early days; but the occasional conflicts that did happen, brought the matter of jurisdiction to the attention of Rhode Island and her neighbors. The northern line was the first to be settled. Ever since some Mendon people had complained, in 1706, that Rhode Island claimed land far beyond the Massachusetts line, there had been constant attempts on the part of both colonies to survey the proper boundary. Although the Massachusetts south line had been carefully laid out by Woodward and Saffery in 1642, the inability of the commissioners to arrange details delayed the final adjustment until 1719. In May of that year two committees reported that they had started from Wrentham Plain, and had run the line west across the Pawtucket River to a point two miles west of Alum Pond. This report was accepted by both colonies and entered upon the records.<sup>1</sup> Although the northern line of Rhode Island was thus established, the controversy over the eastern line, formerly waged with Plymouth, but now to be contested for with the more powerful Massachusetts, was still open and was even now causing considerable dispute between the inhabitants living near the border.

In the same year as the fixing of the northern boundary the old question of the Connecticut boundary was again revived, this time for final settlement. A request of the Board of Trade that a map of the colony should be drawn up reminded the assembly that nothing had as yet been done toward fixing the line with Connecticut. The two colonies in 1703 had agreed that the boundary should be the Pawcatuck as far as the mouth of the Ashaway River, then straight to the southwest corner of the Warwick purchase, and then due north to the Massachusetts line. But nothing decisive had been done in the matter of surveying it.<sup>2</sup> In 1719 both the Connecticut and Rhode Island assemblies appointed commissioners to negotiate the matter, although those of Connecticut were ordered only to survey the twenty mile line from Warwick Neck. When the committees met in April, 1720, Rhode Island refused to allow any joint survey unless all the boundary lines between the two colonies were run. This angered the Connecticut assembly greatly and they immediately wrote a letter to

<sup>1</sup>The various attempts at establishing this line are well summed up in foot notes in Arnold, II, 27, 42, 62. An account of the Woodward-Saffery survey of 1642 is in *N. E. Hist. and Gen. Reg.*, IV, 155.

<sup>2</sup>Arnold, II, 65, gives a summary of the attempt to survey the line.

Rhode Island saying, "We had no thought, at that time, of settling the line between our colonies, which has too often been fruitlessly endeavored; nor is there any word in our act referring to it; so that the rejecting of our commissioners upon the special business they were appointed to assist in, because they would not proceed to another which was foreign to it and about which there was no concert between us, is a matter which we believe you will think needs some explanation."<sup>1</sup>

The letter then went on to state that the boundary at most could not extend beyond a line running south from the Massachusetts line to the head waters of the Pawcatuck River, a large pond in South Kingstown.<sup>2</sup> If the boundary was to be finally decided according to this interpretation, it would have resulted in a great loss of territory to Rhode Island. It meant that the straight line running north, instead of beginning at the junction of the Ashaway River where the Pawcatuck turns abruptly south, began at Worden's Pond over ten miles further east, thus reducing Rhode Island to a small strip of land bordering on Narragansett Bay and on the ocean. Rhode Island claimed that it was the intent of the patent of 1644 to grant territory as far west as twenty-five miles, that according to her charter of 1663 the line followed the Pawcatuck River only as long as that river ran north, and that this specific boundary had been agreed upon by the commissioners of both colonies in 1703. She naturally made a vigorous protest and replied to Connecticut: "We perceive the whole scope and drift of your said remonstrance is to give us to understand that you will not comply with the agreement of the line between the two colonies made at Stonington in the year 1703, but wholly decline and reject that agreement. . . . But as you have rejected that as well as all other endeavors for an accommodation, and will not be satisfied without swallowing up the greatest part of our small colony, and that as your colony is on the west, without bounds or limits, you covet the same on the east, we are therefore resolved no longer to be thus imposed upon by you; but are determined, with the blessing of God, with all expedition to make our appeal to the King in council for his determination and decree of our westerly bounds."<sup>3</sup>

Both colonies now prepared voluminous reports for their London

<sup>1</sup>*R. I. C. R.*, iv, 275.

<sup>2</sup>This pond is known to-day as Worden's Pond. The Pawcatuck river runs from the ocean northeast until it is joined by the Ashaway River. It then abruptly turns south, and after a long course east, finds its head in Worden's Pond. The location of these points is well shown in a map in Bowen's *Boundary Disputes*, p. 47.

<sup>3</sup>These letters, dated June 1 and July 7, 1720, are in *R. I. C. R.*, iv, 275, 276.



agents.<sup>1</sup> In February, 1723, a hearing was held before the Board of Trade, which, on March 22, made its report to the Privy Council. This report, easily the best and most careful decision ever rendered on the subject, stated briefly the most important arguments of both sides and came to the following conclusions: "Upon the whole, it seems probable to us, as well as from the pretended grant of the Earl of Warwick and others to the colony of Rhode Island, as from the submission of the boundaries to arbitration by the agents of Connecticut and Rhode Island so soon after the charter of Connecticut had been obtained, that King Charles the Second was surprised in his grant to Connecticut; and that His Majesty intended to redress the grievance complained of by Rhode Island by his subsequent charter to them; but the former charter to Connecticut being still in force and never made void by scire facias or otherwise, it is certain that the relief intended for Rhode Island is of no force in law. However, in justice to Rhode Island, it must be observed that the transactions of the commissioners appointed by the respective colonies of Connecticut and Rhode Island [in 1703] are a strong proof that those of Connecticut did apprehend that the pretensions of Rhode Island were just and equitable".<sup>2</sup>

Thus after all these years of struggle and controversy this impartial tribunal arrived at what was undoubtedly the most just decision possible—that Rhode Island's claim to the Narragansett country, although not vindicated in point of law, was certainly justified by right and equity. The report concluded, however, with the wish that both colonies should submit themselves to His Majesty and be annexed to New Hampshire. When this proposal was submitted to the colonies, it met with immediate protest. Connecticut in a brief reply declined to surrender her charter, and asserted her perfect willingness to abide forever by the King's decision upon the disputed lands. Rhode Island addressed a lengthy answer to Partridge, her London agent, in which she likewise refused to be annexed to New Hampshire, arguing that such a course would neither be for the best interests of Great Britain, nor tend to quiet the dispute, nor aid the defence of the country, nor promote trade. They further showed the impracticability of joining the southern colonies to New Hampshire by reason of the distance between those two portions of New England, a point which the Board of Trade seem to have been ignorant of.<sup>3</sup>

<sup>1</sup>These reports are in *R. I. C. R.*, iv, 282-284, Ext. from Conn. MSS. II, 73-113 in R. I. H. S. Library.

<sup>2</sup>*R. I. C. R.*, iv, 307.

<sup>3</sup>Connecticut's reply is dated October 28, 1723, and that of Rhode Island Nov. 26, 1723. *R. I. C. R.*, iv, 334.

Unable to make the colonies see the wisdom of giving up their charters, the Board of Trade decided to put an end to the Narragansett controversy by making the decision on grounds of equity and right. On January 25, 1726, they rendered a second report, recommending that the line be run according to the agreement of 1703. This was a complete justification of Rhode Island's claim. The Privy Council adopted the recommendation and reported accordingly to the King, who, on February 8, 1727, issued the final decree on the subject. It ordered that a line, "drawn from the mouth of Ashaway River where it falls into the Pawtucket River, and thence extending north to the south line of Massachusetts Bay, may forever hereafter be the settled boundary between the two colonies".<sup>1</sup> Rhode Island might well rejoice that this controversy, so long and bitterly contested, had been settled with the preservation of her territory as granted by the King in her charter. Her persistent efforts in defence of her rights were at last rewarded.

The death of Gov. Samuel Cranston, on April 26, 1727, forms a fitting close to the long period of danger and trouble. It was fortunate indeed for Rhode Island that during the last quarter century she had been under the wise and efficient administration of such a governor. Firm and courageous in character, tactful to an extraordinary degree in his correspondence with the English authorities, and thoroughly patriotic to the interests of his colony, he was exactly the man to preserve Rhode Island from the machinations of her enemies. Few rulers subjected to the test of annual election have ever remained in office as long as he. For thirty successive years his calm neutrality on such disturbing subjects as the paper money question and the importance of one or another religious sect,<sup>2</sup> his tendency to avoid extremes, and his personal popularity caused him to be elected to the highest position in the colony. He had taken up his task of administration at a time when the colony's existence was threatened both from abroad and at home. He had warded off the powerful attacks of Lord Bellomont, had guided the government through the long and exhausting srench war, had aided in bringing about a favorable settlement of two important boundary disputes, and now with the

<sup>1</sup>*R. I. C. R.*, iv, 373. The line was finally surveyed by joint commissioners Sept. 27, 1728. For an account of this survey and the subsequent straightening of the line in 1840, see Bowen's *Boundary Disputes*, p. 48.

<sup>2</sup>It was said that "he did not assemble with any sect nor attend any public meeting. The charter granted a universal liberty of conscience, and he was a keep-at-home Protestant. He was an impartial and good man". (H. E. Turner, *The Two Governors Cranston*, p. 50.)

approach of death could witness a colony whose present stability and future promise was largely due to his own efforts.

Under the lengthy administration of Governor Cranston the colony had experienced notable growth and progress. The population during this period of thirty years had trebled itself; and commerce, manufactures and agriculture had increased in proportion. There was furthermore considerable attention now given by the colonists to the improvement of their social condition. Schools were deemed a more necessary part of a child's life; there were some attempts to check such social evils as drunkenness and slavery; and the year 1727 witnessed the establishment of a printing press at Newport. Another favorable sign was the growth of religious sentiment. The absolute liberty of conscience which was established by the founders as the basis of the colony had often been regarded by the religious bigots of the neighboring colonies as a step towards disorder and anarchy. Cotton Mather, writing in 1695, describes Rhode Island as a "colluvies of Anti-nomians, Familists, Anabaptists, Anti-Sabbatarians, Arminians, Socinians, Quakers, Ranters, everything in the world but Roman Catholics and real Christians". But during the next quarter century many more churches were built. New and strong sects, like the Episcopalians, established themselves in the colony, and there was a general growth of religious thought, proportionate with the increase in population. The proof thus more clearly shown that religion could flourish where people were allowed to worship God according to their conscience, caused Mather to admit in 1718 that "Calvinists with Lutherans, Presbyterians with Episcopalians, Pedobaptists with Anabaptists, beholding one another to fear God and work righteousness, do with delight sit down together at the same table of the Lord".<sup>1</sup> And the worthy John Callender, writing a few years later,<sup>2</sup> said that the colony had "proved that the terrible fears that barbarity would break in where no particular forms of worship and discipline are established by the civil powers, are really vain and groundless". All faiths indeed, whether Protestant or Catholic,<sup>3</sup> Mohammedan or Pagan, were permitted to worship as they saw fit. The triumph of toleration in religion had certainly been achieved.

<sup>1</sup>Mather's two utterances are in his *Magnalia*, bk. vii, p. 20, and in 1 *Mass. Hist. Soc. Coll.*, i, 105.

<sup>2</sup>*Hist. Discourse*, p. 108.

<sup>3</sup>A clause in the Digest of 1719 debarring Roman Catholics from all political rights and asserted to have been passed in 1664, has often been held up as

## CHAPTER XII.

### THE PERIOD OF PAPER MONEY AND FOREIGN WARS.

In 1727, the very year of the accession of George II to the English throne, Deputy-Governor Joseph Jenckes was chosen to succeed Cranston as Governor of Rhode Island. One of the first cares of his short administration, now that Rhode Island knew just how far her mainland extended, was to give to the recently added inhabitants a more ready access to the courts. To accomplish this, in June, 1729, the colony was divided into three counties. The Island of Rhode Island, with Jamestown, New Shoreham and other adjacent islands, were formed into Newport County, with Newport as the county town; Providence, Warwick, and East Greenwich were constituted as Providence County, with Providence as shire town; South and North Kingstown and Westerly were made into the third county, known as King's County, with South Kingstown as the chief town. The judicial system was then revised by providing for justices for each county, which, furthermore, was to have its own court house and jail.<sup>1</sup>

This reconstruction of the courts was also made necessary by the increase in population. In 1730 a census, taken by order of the Board of Trade, showed that the population of the colony had increased to 17,935, of which 1,648 were negroes and 985 were Indians. Newport led with a total of 4,640, then came Providence with 3,916, North Kingstown with 2,105, Westerly with 1,926, South Kingstown with 1,523, East Greenwich with 1,223, Warwick with 1,178, Portsmouth exposing the founders of Rhode Island to the charge of inconsistency in having planted liberty of conscience. Samuel Eddy, however, clearly showed in 1819 that this clause must have been introduced into the laws after 1688, and that its probable object was solely to win favor in England in the reign of William and Anne. (Walsh's *Appeal*, 428-435.) S. S. Rider, in a comprehensive monograph on the subject (Rider's *Hist. Tract*, 2nd ser. no. 1), goes more thoroughly into the matter and shows that the clause could not have been introduced prior to 1705, as it does not appear in the unprinted digest of that year. He further explains how this law was inserted into the 1719 Digest by the committee appointed to prepare it, and was made necessary by the severe English enactments against Roman Catholics. See also Arnold, ii, 491.

<sup>1</sup>R. I. C. R., iv, 427; 1730 *Digest*, 188-192.

with 813, Jamestown with 312, and New Shoreham with 290. A study of these figures discloses the fact that, since the preceding census, the towns in Narragansett country had experienced remarkable growth, undoubtedly due to the recent settled state of that territory, and that the small settlements of Portsmouth, Jamestown and New Shoreham had scarcely gained at all. Of the 1,648 colored slaves, over three-quarters were owned on the island and in the Narragansett country, Newport having 649 and the two Kingstowns 498. The Indians were settled nearly all in the southwestern corner of the colony. Other figures gathered at the time show that there were 5,000 tons of shipping and 400 sailors, that the value of the annual exports was computed at £10,000, and that the ordinary yearly expenses of the government were estimated at £2,000, and the extraordinary at £2,500, colonial currency.<sup>1</sup>

The colony was indeed in a flourishing condition. There was as yet little luxury or display of wealth, but the inhabitants were intelligent and educated, and the better part of them had some fair degree of culture. There was great lack, however, of a literary centre, like the colleges at Cambridge and New Haven, or of a concerted effort towards a spread of liberal knowledge. Newport may be said to have experienced an intellectual awakening in the winter of 1729-30, when George Berkeley, Dean of Derry, afterwards Bishop of Cloyne and one of the greatest philosophers of the century, decided to visit Rhode Island's shores with the idea of founding a missionary college at Bermuda. He first visited Newport to purchase land as an investment, and also, as his biographer suggests, to establish correspondence with influential New Englanders. With him were several literary men and artists, among whom were Smibert, the famous portrait painter, and Peter Harrison, a prominent architect. Berkeley's first impressions of Newport were very favorable. He says in a letter to a friend: "The inhabitants are of a mixed kind consisting of many sorts and subdivisions of sects. There are four sorts of Anabaptists, besides Presbyterians, Quakers, Independents and many of no profession at all. Notwithstanding so many differences here are fewer quarrels about religion than elsewhere, the people living peaceably with their neighbors of whatever profession. The climate is like that of Italy and not at all colder in winter than I have known it everywhere north of Rome. The town of Newport contains about 6,000 souls and is the most thriving, flourishing place in all America for its bigness.

<sup>1</sup>Callender's *Hist. Discourse* in *R. I. H. S. Coll.*, iv, 94, and Arnold, ii, 106.

It is very pretty and pleasantly situated. I was never more agreeably surprised than at the sight of the town and its harbor".<sup>1</sup>

Berkeley lengthened his stay in Newport to nearly three years, purchasing a farm in Middletown and spending his spare hours



WHITEHALL, THE RESIDENCE OF BISHOP BERKELEY IN MIDDLETOWN.

Erected by him about 1728, and named after the residence of the early archbishops of England

writing philosophy. Soon after his arrival he aided in establishing a literary and philosophical society, whose collection of books a few years later formed the nucleus of the Redwood Library. In 1731, disappointed in the hopes of founding his Bermuda college, Bishop Berkeley left for England, leaving behind him a stimulus for literary and intellectual pursuits, a legacy which the colony could not too highly value.<sup>2</sup>

From this favorable view of the colony, as presented by Bishop Berkeley, and from the rather romantic period of his stay we must now turn, in contrast, to the evils that were rapidly arising from the issuing of paper money. When the time came for the expiration of the "banks", the government found it necessary to extend the payment and to create further issues to supply a currency. Thus, in May, 1728, they again lengthened the time of payment on the first bank of

<sup>1</sup>Fraser's *Works of Berkeley*, iv, 160. Berkeley later modified these favorable views concerning Rhode Island religion, but with especial reference to the more recently settled towns. (See Fraser, iii, 242.)

<sup>2</sup>The best accounts of Berkeley's stay in Rhode Island are in Fraser's *Life*, iv, 154-190, and in C. R. Thurston's "Bishop Berkeley in New England" in *N. E. Mag.*, n. s. xxi, 65-82. See also Winsor, *Narr. & Orig. Hist.*, v, 141.



1715, one-tenth to be paid annually without interest from the date of passing the act. In the following month, giving as reasons the scarcity of money, the rebuilding of the colony fort and the preservation of commerce, the assembly issued a third bank to the amount of £40,000. In June, 1731, there arose a movement for the issue of another bank. Several of the merchants of Newport, realizing the dangers of depreciation and bankruptcy, presented a memorial to the assembly in which they attempted to show why the issue should not be made. They stated that the excessive emitting of bills of credit during the past few years had caused the value of silver coin to increase nearly three-fold as a medium of exchange. A few more years, and silver, and hence all means of redemption, would be driven from the colony. They further asserted that such action was in opposition to the royal act of 1720, which forbade the issuing of bills of credit unless confirmed by the King's consent, and to the King's instructions to Massachusetts ordering, that that province should not have out in bills more than £30,000 at one time. The outstanding bills of Rhode Island, the memorialists stated, amounted to £120,000, which, on account of the depreciation and the postponement of payment, stood little prospect of redemption. The memorial was doubtless favored by most of the merchants and traders of the colony, and also by the more disinterested and intelligent members of the community. The advocates of these large emissions, says an authority on the subject, "were the multitude who were indebted and distressed in pecuniary affairs and who thus expected to obtain for themselves some measure of relief. It was an easy way of paying old debts. Members of the general assembly were often inclined to favor the project, not only from the desire of popularity, but the less honorable motive of pecuniary interest".<sup>1</sup>

The assembly refused to listen to the advice and warning of the memorialists, and at the June session, in 1731, passed an act emitting £60,000. This occasioned great protest, and Governor Jenckes, at the risk of losing his popularity, vetoed the act in these words: "His Honor the Governor dissents from the said vote." The Governor was besought to summon the assembly to take action on these matters. Upon his refusal Deputy-Governor Wanton convoked the assembly, which met on August 3, and declared the governor's veto "to be no part of said act of assembly; and that said act be in no wise encumbered thereby, but that the said dissent be deemed null and void". In giving their reasons for this vote they did not enter at all into the question of principle, but based their whole argument on the score

<sup>1</sup>Potter's Account of Bills of Credit in Rider's *Hist. Tract*, viii, 33.

of technicality. They said that the veto had been entered on the records the day after the rising of the assembly, and before then, that that body had no knowledge of any dissent. It was argued that it was not in the power of the legislative authority for any single member to encumber any act by dissenting after the rising of the court. Thus having censured the governor's act they found another ground of complaint against him. Several of the inhabitants had requested from the secretary a copy of the assembly's original act, which that officer drew up and sent to the Governor to receive the colony seal. Immediately two of the assistants caused the news to be spread throughout the colony that the Governor had endangered the loss of the charter by ordering the colony seal to be set to a complaint against the government. These actions resulted in the sending of various letters and memorials to the King. Some of the Newport merchants gave an account of the over-issue of paper money and petitioned that His Majesty would command "this government not to emit any more bills of public credit; and that the bills of credit already emitted be paid in according to the several respective acts whereby they were first emitted, that thereby an end may be put to our sorrows, and the tranquillity of this your Majesty's colony re-established as in former times". Governor Jenckes, who had incurred considerable displeasure, asked, for his vindication, that the royal determination should be given upon the three following particulars:

"First, whether any act passed by the General Assembly of this colony may be judged valid, the governor having entered his dissent from it at the time it was voted.

"Second, whether or no the governor of this colony may with safety refuse or disallow setting the colony seal to copies taken out of the secretary's office, and attested by him, in order to be sent to Your Majesty.

"Third, whether it be the governor's duty to examine all such copies before he orders the colony's seal to be set thereto; the secretary which attests them being an officer under oath."<sup>1</sup>

This application was referred to the law officers of the crown, who reported August 5, 1732. As to the last two questions, they confirmed the Governor in his action, asserting that it was "the duty of the Governor to set the colony's seal to such copies of acts as were attested by the secretary in order to be sent to His Majesty; and that the examination and attestation of the Secretary are sufficient without the personal examination of the governor". In regard to the question of the governor's veto power they reported decisively: "In this

<sup>1</sup>*R. I. C. R.*, iv, 456-461. The first memorial is dated Aug. 30, 1731, and the petition of the Governor Aug. 20.

charter, no negative voice is given to the governor, nor any power reserved to the crown of approving or disapproving the laws to be made in this colony. We are therefore of opinion that though by the charter the presence of the governor, or in his absence of the deputy governor, is necessary to the legal holding of a general assembly; yet, when he is there, he is a part of the assembly and included by the majority; and consequently that acts passed by the majority of such assembly are valid in law, notwithstanding the governor's entering his dissent at the time of the passing thereof." They further rendered as their opinion upon the additional question, "whether His Majesty hath any power to repeal or make void the above mentioned act of assembly, we humbly conceive that no provision being made for that purpose the crown hath no discretionary power of repealing laws made in this province; but the validity thereof depends upon their not being contrary, but as near as may be agreeable to the laws of England, regard being had to the nature and constitution of the place and the people. Where this condition is observed the law is binding; and where it is not, the law is void as not warranted by the charter."

This last decision was of considerable importance to Rhode Island, as it confirmed the fact that the colony, according to the charter, had virtually an absolute and unrestricted control of its own legislation. Although producing an opinion in Rhode Island's favor, these petitions inquiring about the right of veto and narrating the assembly's troubles were very dangerous to the welfare of the colony. Partridge, the London agent, realized this, and strove his best to prevent such grievances from being aired before the Board of Trade. He wrote that the governor's query concerning his power of veto was "like to prove of very ill consequence to the colony", and might not only "prejudice the colony in general but even those particular persons themselves who joined with the governor in it". He also wrote to Deputy-Governor Wanton deprecating that such differences should arise among the inhabitants who were scarcely "sensible of the valuable privileges which they enjoy above many provinces in our Plantation". In fact, it was only a few years before that the Privy Council had been anxiously inquiring what rights were reserved to the King in the Rhode Island charter, and, as Partridge said, appeals to the King to settle such disputes "will be a means of laying ourselves open and be attended with ill consequences from such as are no friends to the northern colonies".<sup>1</sup>

<sup>1</sup>The letters of Partridge, dated in February, 1732, are in *Moses Brown Papers*, xv, 4, and Foster's *Coll. of Papers*, ii, 147, in R. I. H. S. Library.

Thus this important controversy resulted in the complete triumph of the paper money party led by the various members of the Wanton family. In the May election of 1732 Governor Jenckes was displaced by William Wanton, and John Wanton was re-elected Deputy-Governor. Secure in its position, the party was now ready to flood the colony with further issues. In July, 1733, the assembly ordered another bank of their irredeemable paper, this time to the amount of £104,000, giving as reasons the need of repairs to the Colony fort, the encouragement of fisheries and the construction of a pier at Block Island. This issue not only affected Rhode Island, but also helped to depreciate the currency of neighboring colonies, which themselves were struggling with the same question. Massachusetts attempted to prevent the circulation of Rhode Island's bills in her province, and a number of Boston merchants in retaliation issued a private loan of £110,000 secured by their joint credit.<sup>1</sup> But such action only resulted in further depreciating the currency of both colonies.

The Wanton influence still presided over the paper money party. When Governor William Wanton died in office, he was succeeded in the election of 1734 by his brother John. Gideon Wanton filled the important and responsible position of general treasurer. By 1738 the "want of a sufficient medium of exchange" necessitated the issue of the "sixth bank", with the familiar excuses of promotion of trade, encouragement of manufactures, and colony repairs. The framers of this act egotistically imagined that the creation of this loan, which amounted to £100,000, was to benefit the surrounding colonies. "Connecticut carries on but a small trade", says Richard Ward, "and stands in need of a very small medium, which, with a quantity of our bills passing there, hath rendered it unnecessary for them to make any large emissions of bills of credit; and the province of Massachusetts Bay having their hands so tied up that, notwithstanding a great number of our bills is circulating among them, the merchants of Boston have been forced to emit a round sum of negotiable notes of hand, to supply the want of money and prevent business from stagnation".<sup>2</sup> Verily, as the good Doctor MacSparran later remarked, "The Nova Anglians in general, the Rhode Islanders in particular, are perhaps the only people on earth who have hit on the art of enriching themselves by running in debt."<sup>3</sup>

The report of commissioners made in 1739 did not present a very cheerful view of the colony's financial condition. They showed that

<sup>1</sup>See Felt's *Mass. Currency*, p. 88, and Palfrey, iv, 549.

<sup>2</sup>Rider's *Hist. Tract*, viii, 153.

<sup>3</sup>Updike's *Narragansett Church*, p. 515.

up to October, 1739, there had been issued for the supply of the treasury about £114,000 in bills of credit, of which over £11,000 were still outstanding. This deficit was but of small consequence when compared with the outstanding amount of the six public loans or banks. By this method £384,000 had been emitted, of which probably only a small amount had been repaid by the borrowers. If the population of the colony at the time was 20,000, the public debt would be about £15 per capita.<sup>1</sup> But we must leave this subject of paper money for a short time to take up other important matters that were rapidly engaging the closest attention of the colony. When the subject again arises for discussion, it will be found that foreign wars, English interference and the adoption of a specie system by other governments will have so affected Rhode Island's policy as to subject her name to ignominy both at home and abroad.

One of the most significant facts in connection with the later history of the colony was the restriction which the English authorities attempted to place upon New England trade. Early in the century, Newport, in common with the other large commercial towns, learned the profit of importing from the West Indies sugar and molasses, and of distilling the latter into rum. The London merchants, always eager to suppress any manufacturing enterprise that interfered with their own markets, sought to embarrass this trade by various restrictive acts. They used their influence so well that in 1733 an act was passed, known as the "Molasses Act", laying a heavy duty on West India products imported from foreign islands into the northern colonies. Partridge, the Rhode Island agent, led in opposing this act. As he wrote home to Rhode Island, "The West India gentlemen are not quiet yet, but as we expected have begun again in the House of Commons, who have already ordered a bill to be brought in for the better securing and encouraging the trade of the sugar colonies. In the present bill they have left out the restriction of sending horses and lumber to the foreign Plantations, but we think in a manner this is as bad as the old bill; for to what purpose will it be to have liberty to send away our commodities, if we cannot have returns for them?"<sup>2</sup> In his petition to the Board of Trade he claimed that the bill deprived the colonies of their rights as Englishmen in laying taxes against their consent and without their being represented in Parliament. As Arnold says, "This war cry of revolution, which was ere long to rally the American colonies in the struggle for independence, was here first sounded by

<sup>1</sup>Rider's *Hist. Tract*, viii, 51, 175.

<sup>2</sup>Letter to Wanton, Feb. 4, 1732, in *Foster MS. Coll. R. I. Hist.*, II, 149, in R. I. H. S. Library.

the Quaker agent of Rhode Island, to cease only with the dismemberment of the British empire".<sup>1</sup>

The act, however, was passed, and although it seems to have affected Newport less than her rival, Boston, it prevented the distilling of molasses into rum from becoming, as it had promised, the most important colonial manufacture. In 1739, when it was learned that further restrictions on colonial commerce were intended, the Rhode Island assembly voted that the Governor should write to the London agent to oppose strenuously the making of any addition to the sugar or molasses act, "that so much affects the northern Plantations"; and also that his Honor should ask the neighboring governments to join in opposing such legislation. The colony showed its jealousy of royal interference in other ways than in those relating to restrictions upon commerce. When one Leonard Lockman, in 1743, produced a commission as naval officer, said to have been granted by royal authority, the assembly decided that "his Majesty was mistaken in said grant", since the office of naval officer had always been under the appointment of the Governor. They further drew up in the same year a table of fees for the English court of vice-admiralty, asserting the undoubted right of the general assembly to state the fees of all officers and courts within the colony.<sup>2</sup>

Colonial watchfulness for what was regarded as an infringement of rights, was temporarily obliterated by the patriotic spirit caused by a foreign war. England, jealous of the commercial power of Spain and offended by her pretensions of supremacy, declared war upon that country in October, 1739. The news of a break in the long peace was quickly sent to the colonies. The Rhode Island assembly immediately met in February, 1740, and made necessary preparations in case of invasion by the enemy. Fort George was garrisoned, Block Island was provided with a company of soldiers, watch towers and beacons were erected, and a large sloop built expressly for the use of the colony. In May, in obedience to the King's orders, steps were taken towards the enlistment of soldiers for the expedition under Admiral Vernon against the Spanish West Indies, and two companies of one hundred men each were soon transported to New York to join the grand squadron at Jamaica. They were among the one thousand New England volunteers who aided in the disastrous attack upon Cartagena in March, 1741, and of whom scarcely one hundred ever returned to their native colonies. Although Rhode Island assisted in the abortive expedition upon Santiago a few months later, it was in

<sup>1</sup>Arnold, II, 124.

<sup>2</sup>*Digest of 1745*, p. 268, Arnold, II, 142.



the field of privateering that her services were chiefly used for the remainder of the war. The habitual daring and boldness of her inhabitants and her peculiar ability to make her power felt wherever individuality was a potent factor, combined to make the colony especially successful in this branch of warfare. Massachusetts, for instance, where the individual had always been subordinated to the will of the community, was often compelled to offer extraordinary inducements to make vessels go as privateers. It is told how a Massachusetts preacher "berated the fisher folk and men of Gloucester so that they quaked in their beds when they might be manning their vessels and chasing the one French privateer that held the whole coast in terror". Sewall, when he paused in one of his Narragansett journeys at Bristol, heard of a French privateer in Vineyard Sound, but added that the Rhode Island men were after him.<sup>1</sup>

The profits arising from privateering were quite large and benefited a greater part of the population than would generally be supposed. The Boston News Letter of March 20, 1740, records how Captain Hull of Newport took a prize of so great value that each man's share was more than 1,000 pieces of eight. And a few weeks later it stated that Hull's exploits were so extraordinary that his owners designed "to have his statue finely cut out of a block of marble, to stand upon a handsome pedestal, with each foot upon a Spaniard's neck".<sup>2</sup>

But the operations of the Spanish war were soon overshadowed by the approach of a greater struggle, occasioned by France espousing the cause of Spain and declaring war upon England. In March, 1744, Parliament immediately proclaimed war with France and instructed the colonies to make ready for the contest. Again did Rhode Island make the necessary preparations, spending the two sessions of May and June in providing for the defence of the colony and in obtaining munitions of war. When the news came of the scheme for the reduction of Louisburg, the assembly voted to equip the colony sloop Tartar with 130 men, to provide a land force of 150 men, and to raise a regiment of 350 men to be under the pay of Massachusetts. This expedition, forwarded with great zeal by Governor Shirley of Massachusetts, and commanded by William Pepperell of Maine, was wonder-

<sup>1</sup>Weeden, *Econ. and Soc. Hist. of N. E.* ii, 601.

<sup>2</sup>*Idem*, p. 602. These privateering expeditions, however, were not always so successful. In December, 1745, two large ships, with over 400 men, sailed from Newport for the Spanish Main. A tremendous hurricane ensuing, they undoubtedly succumbed to disaster, for they were never heard from again. Such catastrophes as this or the almost total loss of 200 Rhode Island troops at Carthagen in 1741 would account for the sudden and unexplained removal of many an ancestor at this specific period.

fully successful. In June, 1745, Louisburg surrendered, thus completing the most important achievement of the war. One-half of the Rhode Island troops unfortunately arrived too late to aid in the attack, but remained among those who held the garrison until relieved by regular English troops. On the sea, however, the colony showed her especial pre-eminence. Captain Fones, with a small fleet, dispersed a body of several hundred French and Indians sailing to the relief of Louisburg; and Rhode Island privateers captured more than twenty prizes during the year. These various services, together with her furnishings of transports and supplies, caused the home government to grant her £6,322 as her part of the subsequent indemnity to the colonies.<sup>1</sup>

Throughout the remainder of the war Rhode Island took her proportionate share with the other New England colonies. She entered actively into the abortive scheme, in the summer of 1746, for the invasion of Canada, which was defeated by the threatened arrival of a French fleet and the dilatory policy of the English ministry.<sup>2</sup> Although praised for the "ready spirit which both the government and the troops had shown", the colony agreed with Connecticut in refusing to enter into Shirley's rashly planned expedition upon Crown Point. But the war was rapidly drawing to a close, both England and France wearying of the martial activity and dragging expenses. There was a cessation of attacks and campaigns, and Rhode Island used the time to good advantage in her favorite pursuit of privateering. One of the most daring commanders, Capt. John Dennis, was so particularly successful that the French at Martinique sent out a well-equipped war vessel especially to capture him. One may easily imagine that his would-be captors were surprised, when after an action of four hours they were compelled to surrender and be taken as a prize by this redoubtable Rhode Islander. The papers of the day have frequent reference to similar captures. Indeed, it would be safe to say that surely one hundred French vessels, some with cargoes worth over \$50,000, were taken by Rhode Island privateers during the war.<sup>3</sup> But on October 7, 1748, the struggle between the two nations

<sup>1</sup>The documentary reference to most of the above facts is in *R. I. C. R.*, v, 106-127. The details of Rhode Island's share in the indemnity is given in footnotes in Arnold, ii, 170-171; and her part in naval operations is best narrated in Sheffield's *Privateers*, p. 11-23. The fullest documentary history of the war is in Winsor's *Narr. and Crit. Hist.* v, 434-449.

<sup>2</sup>In the *Rice Papers*, p. 20, in the R. I. H. S. Library, is a journal of this expedition written by Capt. William Rice, from May 26 to Dec. 25, 1746. There are also several rolls of Melvin's and Chenery's Massachusetts companies, 1746-47, in *R. I. H. S. MSS.*, vol. 1.

<sup>3</sup>Sheffield in his *Privateersmen of Newport*, p. 48, found reference to nearly

was finally concluded by the Treaty of Aix-la-Chapelle, by the terms of which each side agreed to restore all territory as it had been before the war. Thus the stronghold of Louisburg, which had been won by the colonists themselves, at their own risk and for their own security, reverted to their enemy, the French. It has been said that the British ministry restored this fortress to France that it might remain as a menace to possible colonial independence, but they were also surely aware of its usefulness to England herself as a means of overawing the colonists. Shirley reminded them of this fact and remarked that "it would by its vicinity to the British colonies and being the key of 'em, give the Crown of Great Britain a most absolute hold and command of 'em if ever there should come a time when they should grow restive and disposed to shake off their dependency upon their mother country, which", he added, "seems to me some centuries further off than it does to some gentlemen at home".<sup>1</sup> At all events, however discouraging the results of the treaty were to the New England colonists, it gave them a knowledge of their own power. The lesson that untrained provincials could defeat the well-equipped European troops was not forgotten when the time came for the more momentous struggle.

During all this period of war, Rhode Island had met her heavy expenses by further issues of paper money. The English government, however, was beginning to realize to what an extent the colonies had gone in this direction, and in August, 1740, warned Rhode Island that instructions had been sent to the colonies more subject to the home rule, not to enact further issues of paper money unless they were approved by the King. Parliament was much apprehensive, the communication stated, that "the commerce of Great Britain had been affected by the large and frequent emissions of paper currency, in which Rhode Island has had too large a share". Orders were also given that Rhode Island should prepare a complete account of previous issues, amounts then outstanding, value of such paper in English coin, and possibility of sinking all the bills.<sup>2</sup> Although thus advised as to the King's wishes, the assembly decided that the expenses of the war necessitated more bills, and in September, 1740, issued a seventh "bank" of £20,000, to be loaned at four per cent. for ten years and to be equivalent to silver at six shillings nine pence per ounce. Since the attempt was thus made for the first time to fix their value in

seventy captures between 1741-1748. The above account of Captain Dennis is quoted from the Boston Post Boy in the same monograph, p. 24.

<sup>1</sup>Quoted in Palfrey, v, 93.

<sup>2</sup>R. I. C. R. v, 7.

specie, these bills were styled "New Tenor Bills". In addition to this public loan, an issue of £10,000 of the old tenor bills was made to supply the treasury, but this high-handed act was not favored by all the members of the assembly. Two of the assistants and five deputies entered protests on the records and gave substantial reasons why the issue was injurious. It would depreciate what was already out, they said, thus defrauding creditors of their just dues, encouraging idleness and extortion, and providing in the end a really less medium of exchange. All extraordinary expenses of the war could easily be paid out of the interest from the previous "banks", and could not anyway be met by the present bank, which would not mature interest in two years. The act, furthermore, was undutiful and presumptuous in view of the expressed attitude of Parliament upon the subject. The signers thus conclude their protest to the said act, asserting their opposition, "because the ruin of this flourishing colony will probably in a great measure be owing to this fatal act; we would have the whole colony and posterity know we have not deserved their imprecations on this occasion, but have endeavored to preserve and deliver down to posterity the privileges and the property which our ancestors earned with so much hazard, toil and expense".<sup>1</sup>

In January, 1741, Richard Ward, who had succeeded as Governor upon the death of Wanton in 1740, prepared the report upon bills of credit required by the Board of Trade. It was a lengthy document, going thoroughly into the reasons for each issue, giving the current comparative value of English coin and concluding that the present "flourishing condition" of the colony was entirely due to paper money. It reveals the information that the outstanding amount of bills was £340,000, or, reduced to sterling money, £88,000, and blames the depreciation chiefly upon the Boston merchants. Having thus vindicated themselves before the English authorities, the paper money party proceeded to carry out its policy as it saw fit. In February, 1744, came another public loan, the eighth "bank", this time of £40,000. This caused two protests to be entered by members of the assembly, both very similar in tone to the protests against the previous "bank".

Such large issues, exactly as the signers of the protest had predicted, only resulted in depreciating all previous issues. The bank of 1740 had already depreciated to one-fourth of its original value, and by 1748 the present bank of 1743 was worth in specie exchange about one as to ten. Depreciation was not the only evil arising from this worthless currency. The non-payment of interest and the continual

<sup>1</sup>For the act itself see the *Digest of 1745*, p. 230. See also *R. I. C. R.* iv, 580.

counterfeiting made the general treasurer's lot no happy one. The difficulty of collecting the banks as they came due caused the frequent foreclosing of mortgages and bonds.<sup>1</sup> The property qualification for freemen had to be raised in 1746 from £200 to £400, since the rapid depreciation of the currency had so cheapened the elective franchise that persons of very little estate were admitted as freemen. The ease with which voters could be obtained brought the assembly to fear "that bribery and corruption hath spread itself in this government, to the great scandal thereof, so that the election of public officers hath been greatly influenced thereby".<sup>2</sup>

The currency question had become the controlling factor in party contests, giving occasion for much political vehemence and personal abuse. The learned Dr. William Douglass, writing in 1750, thus alludes to conditions in Rhode Island: "Formerly the parties in elections and public transactions were upon sectary footings; but for some years past, the opposite parties are they who are against multiplying a fraudulent paper currency, and they who encourage it for private iniquitous ends. . . . The habitual practice of this paper money cheat has had a bad influence, not only upon profligate private persons, but also upon the administration of some of our New England governments; for instance, one of the legislature, a signer of the Rhode Island colony bills, was not long since convicted of signing counterfeit bills. Men are chosen into the legislative and executive parts of their government, not for their knowledge, honor and honesty, but as sticklers for depreciating, for private ends, the currency by multiplied emissions. This year, 1750, the parties amongst the electors of assemblymen were distinguished by the names of the paper money makers and the contrary. . . . Massachusetts Bay, where the bulk of their bills were lodged, have sent them back accompanied with the bills of New Hampshire; their design is by quantity to depreciate the value of their bills, and lands mortgaged for public bills will be redeemed in those minorated bills at a very inconsiderable real value".<sup>3</sup>

Rhode Island's reckless management of her financial system, whether excusable or not, was sure to receive its retribution in the end. When the reimbursement for the war expenses came from England in 1749, Massachusetts was able, by the aid of a tax of £3 per capita, to sink all her outstanding bills. But Rhode Island, although she

<sup>1</sup>In 1741 there were 539 such suits in the six towns of Providence county, and in 1742 there were 1,040 more actions instituted in the same towns. (Rider's *Hist. Tract*, viii, 56.)

<sup>2</sup>1752 *Digest*, p. 12.

<sup>3</sup>Douglass, ii, 86. This author, though learned, is not always a reliable authority.

received £12,000 specie from England, used only £7,800 of this amount to redeem £89,000 of her great outstanding amount of bills. The smaller proportionate indemnity that she received from England, the excesses of her previous over-issues, and her present apparent unwillingness to use all that she could in the right direction, kept her from imitating the example of Massachusetts and placing her financial system on a sound specie basis. The immediate results of this inability were exhibited in the decline of her business and commerce. Her valuable West Indian trade quickly reverted to Massachusetts,<sup>1</sup> and her currency depreciated to nearly one-half of its specie value. Failures and bankruptcy acts were the natural consequences.

The closing decade of the first half of the eighteenth century was a most important period for Rhode Island history. In addition to the spectacle of a wasting foreign war and of a ruinous and prostrate currency, the colony witnessed the completion of another boundary dispute that vitally affected her future growth and prosperity. She had settled the northern boundary line with Massachusetts in 1719, but the eastern boundary dispute, which resembled the earlier Connecticut controversy in its bitterness and protraction, remained unsettled for many years. A brief abstract of the present dispute may well be given here. The Plymouth Council, by letters patent of 1629, granted to Bradford and his associates territory as far as Narragansett River, but this grant conveyed only right of estate and not of jurisdiction. The first royal grant of the territory was in the Rhode Island charter of 1663, when the colony was given land extending "three English miles to the east and north-east of the most eastern and north-eastern parts of Narragansett Bay". In 1665 the King's Commissioners had made a temporary order favoring Plymouth, but leaving final determination as to right and title to the King. In 1691 Plymouth was absorbed in the Massachusetts charter, and henceforth the dispute was held with the latter government. Rhode Island, having attempted in vain to assert her right to the territory, finally resolved in 1733 to petition the King for a settlement. She claimed two strips of land, first the triangular piece of land in the extreme northeastern corner of the colony, called "Attleboro Gore", and virtually corresponding with the present town of Cumberland, and secondly, the confirmation of the country towards the east according to the three mile clause of her charter.<sup>2</sup> Massachusetts put in a claim for all the country as far as Narragansett Bay, based chiefly on the

<sup>1</sup>Rider's *Hist. Tract*, viii, 68. For a more detailed discussion of the indemnity money, see the chapter on Financial History.

<sup>2</sup>Douglass, in 1750, stated that "if Massachusetts Bay had quitclaimed to



Plymouth grant, which petition the Board of Trade denounced as "frivolous and vexatious, preferred only with intent to delay and prevent the settling of the boundaries". Finally, upon their advice, the privy council directed that the controversy be adjusted by a body of commissioners from New York, New Jersey, and Nova Scotia. In 1741 this commission sat in Providence, and on June 30 decided that the Rhode Island eastern line should run from the Massachusetts southern boundary by a meridian line to Pawtucket Falls, then southerly along the Seekonk and Providence Rivers to Bullock's Neck, then following a line three miles away from the shores of Narragansett Bay and the Sakonnet River until it reached the ocean. This gave to Rhode Island the "gore" in question, and a strip of land three miles wide from Bullock's Point to the ocean; but she had claimed almost as much again, from a point three miles east-northeast of the Assonet Bridge, west to Fox Point and due south to the ocean. Accordingly she appealed from this judgment to the King. Massachusetts, no part of whose claim had been recognized, also made appeal "from every part of it, without specifying anything in particular". In May, 1746, after listening to all the arguments, the privy council ordered that the commissioners' award be confirmed. Massachusetts, wholly defeated in her claim, refused to aid in surveying the line; so Rhode Island was compelled to run the line *ex parte*, thus giving rise to minor disputes which it required another century to settle.<sup>1</sup>

The territory thus confirmed to Rhode Island amounted to about 122 square miles, contained over 4,500 inhabitants, and comprised the towns of Cumberland, Warren, Bristol, Tiverton, and Little Compton.<sup>2</sup>

them Attleboro Gore, Rhode Island would have given a general quitclaim in all other concerns, and prevented the loss of Bristol, and some part of Barrington, Swanzey, Tiverton and Little Compton. But the influence of a few ill-natured, obstinate, inconsiderate men prevailed in the legislature to the damage of the province of Massachusetts Bay." (*Hist. and Polit. Summary*, i, 397.)

<sup>1</sup>The voluminous evidence taken by the commissioners in 1741 occupies a large volume in the British State Paper Office. A transcript of this, 420 pages, is in the J. Carter Brown Library. (J. C. B. Cat. iii, no. 692.) The important documents are in *R. I. C. R.* iv, 586, and v, 199-201, and detailed references are in Arnold, ii, 131. See also Douglass, *Hist. and Polit. Summary*, i, 397-400. A map of the disputed territory, according to the survey of 1741, is published in Arnold, ii, 132, and a slightly differing original is in the J. Carter Brown Library. A poetical journal of this survey is reprinted from a rare broadside in the *Narr. Hist. Reg.* iv, 1, and in Miss Kimball's *Pictures of R. I. in the Past*, p. 41. An excellent summary of the controversy up to 1742 is in the printed appeal of R. I. for that year (a copy of which, 4 pages folio, is in the R. I. H. S. Library. The instrumentality of Sir Charles Wager in favoring Rhode Island's claim is pointed out in Sheffield's *Privateersmen of Newport*, p. 11.

<sup>2</sup>The early history of these towns properly belongs to a study of Plymouth

The first few months in 1747 were spent in organizing the large accession to her jurisdiction. The five towns were legally incorporated, justices of the peace were appointed, and the inhabitants having the necessary qualifications were declared freemen of the colony. For judicial purposes Bristol and Warren were joined into one county called Bristol County, Tiverton and Little Compton were annexed to Newport County, and Cumberland joined to Providence County. This increase in population also brought the long needed change in the composition of the highest judicial body. Where formerly the supreme court consisted of the governor or deputy governor and the assistants, in February, 1747, it was enacted that a chief justice and four associates should be chosen annually, as the highest court, by the general assembly, thus abandoning the unwise union of legislative and judicial powers.

By this annexation of the eastern towns, Rhode Island, for the first time in her existence, could deem herself practically complete, according to the terms of her charter. Vexatious boundary disputes were no longer to sap her energies and strength, and thus freed from the strife for existence, she could turn her attention more vigorously to those matters that were rapidly becoming of great importance to the American colonies. With a population of 33,000,<sup>1</sup> and with a tried strength in military operations her aid was henceforth to be considered as an important factor in New England's struggles.

and Massachusetts. See also under the town names in the bibliography at the end of the last volume. Cumberland, previously called Rehoboth North Purchase and Attleboro Gore, embraced about 34 square miles and had 806 inhabitants. Warren, which then included the present Barrington, had an area of about 14 square miles and a population of 680. Bristol's area was about 10 square miles and population 1,069. Tiverton's area was about 43 square miles and population 1,040. Little Compton's area was about 21 square miles and population 1,152. These population figures are all according to the census of 1748.

<sup>1</sup>These figures are according to the census of 1748, taken by order of the Board of Trade. Douglass, *Summary*, ii, 89, is the printed authority for this census, giving a total of 32,773—28,439 whites, 3,077 negroes, and 1,257 Indians. (Also copied in *R. I. C. R.* v, 270.) These figures differ, however, from those obtained by Arnold, *Hist. of R. I.* ii, 173, from English records, where the total is given as 34,128, with 29,750 whites, and the remainder blacks and Indians.

The growth of population had caused most of the towns to be divided. West Greenwich was set off from East Greenwich in 1741, Coventry from Warwick in 1741, Exeter from North Kingstown in 1743, Middletown from Newport in 1743, and Richmond from Charlestown in 1747. Providence had previously been quartered in 1731 into Providence, Smithfield, Gloucester and Scituate. The increase of the number of towns had also made it necessary that the proceedings of the assembly, which had always been copied by the secretary and sent to each town, should henceforth be printed. The first issue, a six page folio printed in Newport, is that for the session of October, 1747.

## CHAPTER XIII.

### THE HOPKINS-WARD PERIOD.

Scarcely had the confirmation of her eastern boundary and the Treaty of Aix-la-Chapelle assured to Rhode Island a probability of peace and quiet, when a fierce political struggle and a renewed foreign war broke out at almost the same time, as if to make her existence one of continual storm and stress. These coming conflicts—the one preventing good government or united effort in any cause, and the other requiring men and money far beyond her strength—were destined to test the resources and recuperative power of the colony to the utmost. It was fortunate that the placing of her currency on a somewhat sounder basis was brought about before the arrival of these trying events. In August, 1750, an attempt was made by the house of deputies to obtain another loan of £50,000.<sup>1</sup> This aroused a storm of protest, and in September, seventy-two inhabitants, including some of the most prominent and intelligent men in the colony, wrote a petition directly to the King. They told in general terms of the evil consequences of this currency—of its depreciation and ruinous effects on those who were so unfortunate as to hold large amounts of it—and said that the colony had now outstanding £525,335 in bills, £390,000 of which was upon loan. Yet in spite of the fact that these bills had sunk over one-half in seven years, there was a certain class who still desired further issues and who even now were attempting to get a vote for £50,000 more passed through the assembly. This was the landholding class, who, “having generally mortgaged their farms, or plantations, as security for the bills of credit they have taken upon loan, have found it to their interest to multiply such bills, that they may depreciate and lessen in value, and which they have recourse to, as a legal expedient of wiping away their debts without labor; whereby the laudable spirit of industry is greatly extinguished and

<sup>1</sup>Potter's *Account* in Rider's *Hist. Tract*, viii, 81, where there is an apparent discrepancy in the dates given. The action in August and the petition in September precede the creation of the ninth bank, which was in March, 1751, not 1750.

Your Majesty's trading subjects greatly discouraged for want of produce and remittances''. The petition thus concluded: ''Sensible of the misfortune and hardships we labor under, we do therefore most humbly pray Your Majesty that the legislature or authority of this government, may be prevented and effectually restrained from making or emitting any more bills of public credit upon loan without Your Majesty's royal permission, and be commanded to stop and recall this intended emission of August last from circulating or being offered or taken in payment of debt, or from passing any acts whereby any extant bills of public credit may be either debased in value or postponed in their period of being drawn in; and that Your Majesty will be graciously pleased to interpose in this matter, in such manner as in your royal wisdom shall seem meet to relieve us from the injury and oppression of a flood of fluctuating, sinking paper bills of public credit''.<sup>1</sup>

It was a dangerous precedent, this of carrying grievances directly to the King. But it may have seemed necessary to these petitioners, oppressed as they were by an assembly which had already obstinately refused to listen to their protest. The House of Commons took action upon the petition in March, 1751. Being legally unable to interfere with Rhode Island in the exercise of her charter rights, they got around this difficulty by basing their law chiefly upon the evil effects of the currency upon the other colonies. They stated that ''the great rise in the value of silver and in the exchange, occasioned by the repeated emissions of bills of credit, particularly in Rhode Island, had been the means of defrauding the creditors in all the four governments of a great part of their property, and by introducing confusion into dealings had proved a great discouragement to the trade of these kingdoms''. They decided that the introduction of bills of credit issued in one colony into the other three colonies whereby the ''creditors of all the four colonies were defrauded'', could be prevented only by act of Parliament, and therefore resolved that this currency should be ''regulated and restrained'', and that a bill should be prepared for the purpose. Such a bill was finally brought in and passed, whereby the issue of paper money by the colonial government subsequently to September 1, 1751, was absolutely prohibited. It also forbade the passing of any laws postponing the time of payment of bills already issued. The colony might, however, with the King's consent, issue bills of credit to meet current expenses or in case of extraordinary

<sup>1</sup>*R. I. C. R.* v, 312. For further protest, Oct. 10, 1750, see Newport MS. Town Rec. 1679-1776, p. 466-476.

emergencies, provided reasonable provision for their redemption was made.<sup>1</sup>

The assembly, shortly before the action of Parliament, passed an act emitting a loan of £25,000, called the ninth "bank", giving as its chief purpose "the promoting of the raising of flax and wool", and enacting severe laws to insure its reception.<sup>2</sup> This loan was issued just in time, for a few weeks later came the news and the documents of the Parliamentary act. This important matter quickly engaged the attention of the June assembly. They appointed two committees, one to inquire into the station and circumstances of the late petitioners who "call themselves inhabitants of this colony", and the other to report upon the facts stated in the petition itself. This latter committee, which included such upright men as Nicholas Cooke and Stephen Hopkins, quickly reported that although they did not believe that the figures of depreciation and of outstanding bills were exactly correct, they could not but admit that the other facts asserted in the petition were strictly true. This opinion, in view of the various animadversions upon the evils of paper currency contained in the petition, must have been considerable of a rebuff to the "bank loan" party. Nevertheless the assembly voted to accept the report, thus denouncing their own previous action, and evidently decided to yield to Parliament's demands.

The assembly had at last come to its senses and concluded that the unnecessary flooding of the colony with great issues of paper money was detrimental to the colony's interest. The more intelligent portion of the community had already frowned upon such over-issues, but they were compelled to invoke royal intercession before any change could be brought about. The bank of 1751, therefore, was the last loan emitted while Rhode Island remained a dependency of the British crown. Bills of credit for necessary expenses of government or for emergencies were occasionally issued, but seldom of large amount until the Revolution. Rhode Island had been checked in her reckless course towards financial ruin. Those who had long been oppressed by the debased currency could scarcely believe that any power could restrain

<sup>1</sup>*Eng. Stat. 24th yr., Geo. II, 1751, ch. 53; Rider's Hist. Tracts, viii, 84-88; and the reprint of the documents on the subject which was ordered to be published by the general assembly, a copy of which is in the R. I. H. S. Library. The act itself was not passed until May, 1751. Partridge opposed its passage and secured certain amendments, which, he said, "took the sting out of it". (See his letter of May 17, 1751, in "Letters 1750-1756" in secretary of state's office.)*

<sup>2</sup>This act is in the printed schedule for March, 1751, p. 77. The clause relating to wool bounties, the alleged reason for the act, was repealed in the following June session.

the Rhode Island assembly. The good Doctor MacSparran, presiding over his flock in Narragansett, referred to Parliament's acts of restraint and despairingly said, "Such things are only *bruta fulmina*; and we shall go on, I doubt, in our old way of paper emissions unless the Lord, in mercy to us, should dispose the sovereign power to vacate our patent, and prevent our destruction by taking us out of our own hands". But the forebodings of the worthy Doctor fortunately did not come out as he expected. Rhode Island did partially revoke her paper money policy, and the charter was preserved.

Scarcely had Rhode Island received these important communications concerning her paper currency when the alarm of war was again sounded, this time to subject the colony to a longer and fiercer struggle than it had yet experienced. The treaty of Aix-la-Chapelle had not settled any definite line between the English and French possessions in the New World, and as the frontier settlements gradually drew nearer to each other, a collision between the two races became inevitable. When Washington, then a young Virginian surveyor, attacked Fort Duquesne in April, 1754, the war may be said to have commenced. Both England and France, rivals on sea as well as land, were only too willing to take up the contest and quickly assumed a mutually hostile attitude. The fourth intercolonial war, known in the colonies as the "Old French War", and in Europe as the Seven Years' War, since formal declaration was not made until 1756, had begun. "The firing of a gun in the woods of North America brought on a conflict which drenched Europe in blood".

The Lords of Trade, foreseeing a general war, had directed that the colonies should send commissioners to a Congress at Albany, where concerted action could be taken against the French and Indians. Rhode Island appointed Stephen Hopkins and Martin Howard, who joined the other delegates at Albany in June, 1754. This body, composed of the most able and representative men in America, renewed the treaty with the Indians, adopted the unanimous resolution that a "union of all the colonies is at present absolutely necessary for their security and defence", and after three weeks' deliberation proposed a plan of union. Benjamin Franklin had not come to the Congress unprepared. He knew as well as any one that a plan of uniting the colonies, threatening the rights of individual governments, was liable to be received with little favor, but he hoped that the advantages of such a union and the pressure of a general war would induce the colonists to accept the scheme. The delegates, perhaps more broad-minded and far-seeing than their constituencies, received it favorably.



When it came to be voted upon by the various assemblies, however, it met with a different fate. The colonists feared the clause requiring that the union should be established by an act of Parliament, and looked with distrust at the proposals of a "President-General" appointed by the Crown, a "Grand Council" and a general treasury. Not a single colony voted to accept the plan.<sup>1</sup>

The report of the Rhode Island delegates was presented to the assembly in August, 1754. This body voted to accept the report, but "reserved to themselves a farther consideration whether they would accede to the general plan proposed". They took no further action at the time, but in March, 1755, showed their position upon the matter by directing the Governor to write to the London agent telling him "to be upon his watch, and if anything shall be moved in Parliament respecting the plan for a union of His Majesty's northern colonies, projected at Albany, which may have a tendency to infringe on our charter privileges, that he use his utmost endeavors to get it put off until such time as the government is furnished with a copy and have opportunity of making answers thereunto".<sup>2</sup>

The upper house of the assembly, however, had passed a resolution finding the said plan "to be a scheme which, if carried into execution, will virtually deprive this government, at least, of some of its most valuable privileges, if not effectively overturn and destroy our present happy Constitution".<sup>3</sup> Of all the colonies Rhode Island was perhaps the most liable to regard the plan with suspicion and disfavor. Being one of the two charter colonies left in America, she had no intention of allowing the royal authority to deprive her of any of the rights which she had so tenaciously preserved. As a strictly commercial community, she imagined that she foresaw in such a union only further restrictions upon her trade. Accustomed as she had been to a certain isolation, she came to consider it as part of her policy to persist in a spirit—call it "narrow and illiberal", or "independent and prudent"—which she adhered to until the end. There was little necessity, however, for her to be apprehensive of England's interference at the present juncture. The Lords of Trade suddenly found that the plan

<sup>1</sup>The plan as finally amended is printed in Sparks's ed. of *Franklin's Works*, i, 36, and elsewhere. The original certified copy of the proceedings of the Congress, sent to Rhode Island, is in the secretary of state's office, and is also noted in the *John Carter Brown Catalogue*, iii, no. 1067. The part taken by Hopkins in the Congress is well portrayed in Foster's *Hopkins in R. I. Hist. Tract*, xix, pt. 1, ch. 6.

<sup>2</sup>*R. I. C. R.*, v, 424.

<sup>3</sup>*R. I. Hist. Tract*, ix, 61.

of union that they themselves had recommended promised too strong an organization, and accordingly neither approved of it nor recommended it to the King. As Franklin said, "The assemblies all thought there was too much *prerogative*, and in England it was thought to have too much of the *democratic*."

Soon after the Albany Congress active military operations were taken by both sides. The war comprehended the conquest of Canada and the reduction of the French in the great valleys of the St. Lawrence and the Ohio. The Rhode Island assembly, upon receipt of orders from Whitehall, convened, and for the first three sessions in 1755 occupied themselves with military preparations. The old routine of regulating the militia, manning the forts, replenishing military stores, organizing independent companies, and enlisting volunteers, was again gone through with. Four hundred men were voted for the expedition against Crown Point, and £60,000 of bills of credit, redeemable within two years, were issued to meet these sudden expenses.

In the meanwhile General Braddock, supported by British regulars and southern provincials, had been defeated at Fort Duquesne in July, 1755. The news of this disaster only inspired the colonists to further effort in the Crown Point expedition. Rhode Island immediately voted 150 extra men and hurried them to Albany. Although some of the assembly thought this action unwise, since the colony had already exceeded her quota, the colony was heart and soul in the project. The towns were officially aiding in the cause, and even the ministers were exhorting their congregations to war. Thomas Pollen in a stirring sermon, preached in May, 1755, upon the embarkation of some of the troops, thus concludes his appeal: "Go fight for your country, your liberty, your property, and your religion. Transmit to your posterity, that public safety and happiness which Providence shall entrust to the conduct of your arms. And may the ark of the Lord ever go before you. May his pillars of a cloud by day and of a fire by night protect and guide you in your marches. And may the conquest ye shall gain over your enemies be rewarded with honor here and with a crown of glory hereafter." Jonathan Ellis at Little Compton and Joseph Fish at Westerly preached to their respective congregations on the justice of the war and prayed for the success of the armies. William Vinal, presiding over his flock at Newport, delivered a most rhetorical sermon on the defeat of Braddock. "How are the mighty fallen in the midst of the battle! O Braddock, thou wast slain in our low places by the cowardly foe, lurking among the reeds, afraid to meet thee on equal ground. We are distressed for

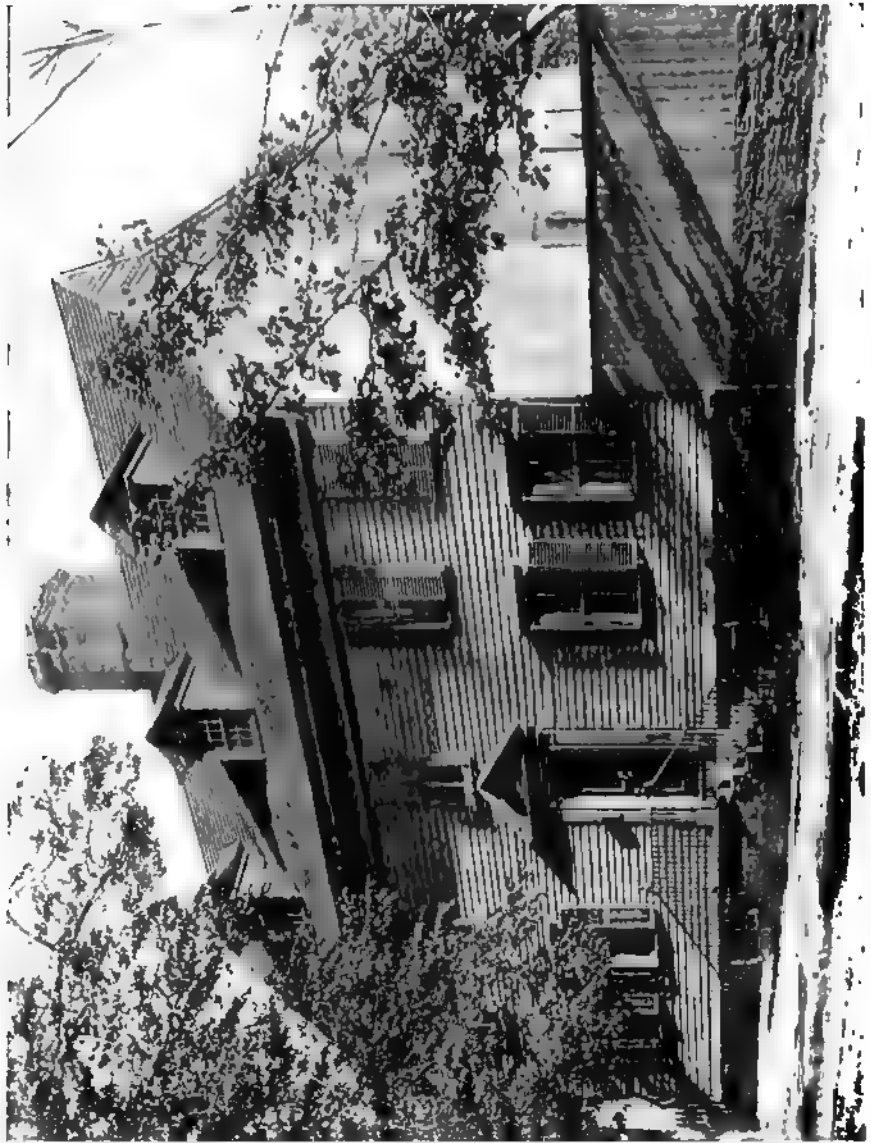
thee, dear Braddock,—very pleasant hast thou been to us! Alas, that it was for so short a time! How are the mighty fallen! How are the weapons of war perished!” Then after a scathing reproof to “degenerate New England”, and also an excellent digression upon proper military preparations, he thus advances to the “argument of excitation and encouragement”: “To arms, then—To arms, ye descendants of ancient heroes, ye sons of honor and renown! Rise, ye fathers of your country! Let every noble principle that resides in your patriot breasts, awaken into new life and action, excited by the best motives, inspirited by the most glorious cause—religion, liberty, self-defence”.<sup>1</sup>

It was most unfortunate for Rhode Island that, during this critical period of a foreign war, she should be beset by a political controversy, more severe and bitter than she had ever yet known in her annals. Almost synonymously with the breaking out of the French war, there commenced in Rhode Island a personal and party contest, known as the Ward and Hopkins controversy, that was destined for a space of thirteen years to subordinate both local and colonial issues to the caprices of party judgment. For a clear understanding of this approaching struggle, a brief explanation of the existing social and economic conditions is necessary, as well as some account of the territorial political relations.

During all the early years of the colony Newport was predominant, not only in legislative affairs, but also from a social and economic point of view. Her eminent men had successively held the highest offices and the trend of legislation had long been in favor of the section where their interests lay. But in course of time a change in these conditions was gradually effected—a change brought about to a great extent through the influence of Stephen Hopkins, whose efforts were seconded by the Browns and other leading citizens of Providence.<sup>2</sup> In 1727 a Providence man, in the person of Joseph Jencks, had been elected governor, and soon after that date the town seemed to take on a new growth. The population notably increased, long lacking town improvements were established, and commerce and business developed accordingly. Since 1732 the governor’s chair had been occupied by men identified with Newport interests. The Wantons and Wards were Newport families, and Governor William Greene, of Warwick, whose election in 1743 was regarded with disfavor by the island town, quickly

<sup>1</sup>These sermons, all printed in 1755, are in the R. I. Hist. Soc. and the Redwood Library. The titles are given in Hammett’s *Bibliography of Newport*.

<sup>2</sup>For Hopkins’s efforts in raising Providence to political influence, see Foster’s *Hopkins* in *R. I. Hist. Tracts*, xix, ch. 5.



showed that his influence was in favor of Newport rather than Providence. During his incumbency the rapid development and increasing power of Providence in various lines served to stimulate the growth of an anti-Providence sentiment in Newport and its vicinity, a sentiment that was still further promoted by discussion in the northern part of the state of Stephen Hopkins as successor to Governor Greene. Hopkins had been in public life since 1732, made rapid advancement and also was prominent in business undertakings. In 1754 he was run as a candidate against Governor Greene, but was defeated. The Newport influence was now entirely given over towards retaining the Warwick governor in the chair as against the succession of the Providence candidate. The following year, leading up to the election of 1755, was filled with political trickery and party virulence. Hopkins's opponents seized upon his known approval of the Plan of the Albany Congress, and endeavored to show that he had exceeded the bounds of his commission, and had tried to foist upon the assembly a project that was dangerous to the welfare of the colony. For his own defence and for political reasons, Hopkins published a pamphlet, March 29, 1755, entitled "A True Representation of the Plan formed at Albany", in which he printed the action of the colony and the proceedings of the Congress, and appended a few pages of "personal defence". He asserted that he had performed only his duty, and accused the general assembly of carelessly neglecting all consideration of the Plan until seven months later it was brought up for discussion, solely to blast his (Hopkins's) reputation. "Can the valuable privileges of this colony", he concludes, "be safe in those hands, where everything else seems to be neglected, but what will serve their private purposes? As I am a candidate for an office, I sincerely desire all men may put their country's interest in the first place, and give their votes only where they think 'tis most safe".

Within a fortnight after the publication of Hopkins's pamphlet, there was issued a reply over the anonymous signature of "Philo-lethes". This latter tract is an excellent specimen of electioneering literature, reckless in its misstatement of facts, and filled with acrimony and abuse.<sup>1</sup> It evidently did not accomplish its purpose, for in the succeeding election of May, 1755, Hopkins was chosen governor of the colony.

The issue was now fairly joined. The different sections of the colony gradually adopted the view of either Providence or Newport, according as their interests lay. As before stated, Newport had long

<sup>1</sup>These two pamphlets are reprinted in Rider's *Hist. Tracts*, no. 9.

been predominant in political, commercial and social respects, but across the bay in Narragansett county dwelt a population distinguished for its wealth and culture, and with aristocratic leanings. North of this was Kent county,<sup>1</sup> chiefly an agricultural district, like the outlying sections of Providence county, and somewhat bound to the northern town by business and social relationships. Exactly opposite, on the eastern shore of the bay, lay Bristol county, with growing commercial interests. Hence, in the approaching elections, it was not strange that the people of the Narragansett country acted with Newport against Providence. Bristol, mainly for commercial reasons, adhered to Providence, and the same was true of the northern part of Kent county. These conditions presented a fair field and were to a noticeable extent a factor in the causes which led to the beginning and subsequent prosecution of this bitter political contest.

It is needless to say that the enemies of Governor Hopkins took every opportunity to complain of the acts of his first administration, and his re-election in 1756 only served to increase their exertions in this direction. They alleged that he had exercised his official power in an unwarranted manner; that he had set aside some acts of the assembly relating to the existing war; had placed his sons in positions of trust for which they were not well equipped; had charged excessive compensation for service as a member of the war committee; that the disposition of certain property under war regulations had contributed to his own pecuniary interests, with further and more vague charges.<sup>2</sup> The contest, at first largely one of territorial feeling, now became much more personal, while at the same time the freemen in Newport continued in the assumption that their town was entitled to first place in all matters of governmental control. Her citizens were educated, able men, versed in public affairs, and to them it seemed ridiculous that they should have to resort to the Scituate hills for a governor. Providence, of course, took the opposite view, and realizing its own growth, felt justified in resisting Newport's influence.

The assembly of Hopkins's second term was not very warm in his support and was inclined to investigate the charges against him. The

<sup>1</sup>The towns of East and West Greenwich, Warwick and Coventry had been set off from Providence county in June, 1750, and erected into a separate jurisdiction, known as Kent county, with East Greenwich as shire town.

<sup>2</sup>See Foster's *Hopkins* in *R. I. Hist. Tracts*, xix, pt. 2, p. 15. See also "A brief Account of the Origin and present State of a Dispute between Mr. Hopkins and myself, with some remarks thereon", in the Warner MSS., v. 2, no. 702. This manuscript is without date or signature, but was, of course, from the pen of Governor Ward.



Governor issued a pamphlet, evidently hastily written and certainly ill-advised, under date of March 31, 1757, in which he defended the questioned acts of his administration. Instead of drawing forth a reply from Governor Greene, as he seems to have hoped, he started a new candidate for political honors in the person of Samuel Ward. This future participant in the Ward-Hopkins controversy, although at the time a deputy from Westerly to the general assembly, was a native of Newport and was thoroughly imbued with its interests. With his pen and his influence, he henceforth controlled the policy of the party that was later named after him. On April 12, 1757, he published an answer to Hopkins's pamphlet, repeating the charges previously made and showing how "unfit" his opponent was for office.<sup>1</sup> This timely piece of political literature evidently had its effect, for in the ensuing May election Governor Greene triumphed by a large majority.

Now began an undignified personal contest of unexampled bitterness and length, in which principles were almost wholly lost to sight. "The subsequent acts and utterances", says Hopkins's biographer, "of these hitherto dignified and self-possessed citizens read like a chapter in a madman's life." In 1757 Hopkins brought a suit against Ward for slander, laying his damages at £20,000, the trial to take place in Providence. Ward, for obvious reasons, petitioned the assembly for a change of venue to Newport. This feature of the affair was finally disposed of by both parties appearing before the assembly, where it was agreed that the plaintiff would suspend his action in Providence, provided the defendant would meet him at Rehoboth, and submit to arrest and trial under Massachusetts laws.<sup>2</sup> The case was tried in September and the defendant obtained a verdict. Hopkins appealed to a higher court, where the case was continued from term to term

<sup>1</sup>Hopkins's pamphlet and Ward's reply are reprinted in *Narr. Hist. Reg.* iii, 257, iv, 40. Copies of the original pamphlets are in Warner MSS., (v. 2, no. 706,708). Ward, in his account of the controversy (no. 702), says that Hopkins, in order to prevent his opponents from preparing an answer, ordered the printer to keep the matter quiet and to conceal the pamphlets after they were printed. This is proved by J. Franklin's own testimony (no. 707). Ward further says that he was compelled to hurry forth a reply, writing a part of it in the printing-house, which might account for some of his "warmth and passion."

<sup>2</sup>Warner MSS. no. 709, 715, 727. The case was transferred to the Worcester County Court of Common Pleas, where the records of the trial still remain. A comprehensive account of the case is in the *Monthly Law Reporter*, Oct., 1859, xxii, 327. Some depositions presented in 1757 are printed in *Narr. Hist. Reg.* iv, 143. Ward's defence is in the Warner MSS. v. 2, no. 702, and also several depositions, v. 2, no. 709-713; v. 3, no. 714-727; v. 5, no. 1891-1892.

until 1760, when the appellant "pray'd leave to discontinue the suit", and accordingly payed the costs, amounting to over £22.

The political controversy, in the meanwhile, suffered no cessation. On February 22, 1758, Governor Greene died, and within three weeks Hopkins was chosen governor "for the remaining part of the current year". The interval between this time and the succeeding May election Hopkins spent in insuring his own success as against the efforts of his opponent, Samuel Ward. A month before the election he addressed to the sheriffs of the five counties a letter in which he defended his own character against certain aspersions made by Ward, and accused his enemy of endeavoring to place himself at the head of the government "only by blasting another man's reputation". Thus he concludes: "However, I shall willingly submit my cause to the freemen of the colony, being fully assured that if their experience of my past service doth not recommend me to their favor, nothing I can say will do it".<sup>1</sup> A few days later the Quakers of Smithfield were addressed by certain others of their faith in Newport and advised to "use their interest in favor of Governor Hopkins, as we have reason to think his opponent is not so moderate a man as we think is proper to sustain such a post".<sup>2</sup> When the election was held it was found that Hopkins was triumphant by a majority of but sixty-six votes.<sup>3</sup> For four successive years he was chosen to the office, until the election of Ward in 1762 came to plunge the colony again into this seemingly never-ending controversy.

But we must pause a moment and glance back at the progress of the Seven Years' War, which had been raging throughout the colonies concurrently with this local political struggle. Rhode Island had steadily contributed men and other aid to the various expeditions conducted by the English commanders. In February, 1756, she voted to raise 500 men for the attack upon Crown Point, but the expedition being abandoned the companies returned before reaching their destina-

<sup>1</sup>This letter, dated April 17, 1758, is printed in *Narr. Hist. Reg.* ii, 110. The above quotation is reproduced in fac simile in *Harper's Mag.* xlvii, 272, and as frontispiece in Foster's *Hopkins*, vol. 2.

<sup>2</sup>Dated Apr. 28, 1758, in Warner MSS, no. 731.

<sup>3</sup>In the collection of papers in the R. I. H. S. Lib'y on the Ward and Hopkins controversy, is a paper giving the detailed vote at this election. This interesting document shows a total of 1281 proxy town meeting votes and 447 "hand" votes for Hopkins, and 1328 proxy and 334 "hand" votes for Ward, giving a majority of 66 votes to Hopkins, although Ward had triumphed at the town meetings by 47 majority. This is probably more correct than the memorandum preserved by Samuel Eddy, mentioned in Foster's *Hopkins*, ii, 258. In 1759, Hopkins's majority was 351. (*Prov. Gazette*, Apr. 18, 1767.)

tion. In the following year England came under the wiser administration of William Pitt and more energetic measures were taken towards prosecuting the war in America. When Pitt in 1758 called upon the colonies to make extraordinary effort, Rhode Island responded with a vote to raise 1,000 men. The results of these measures were immediately felt. Louisburg, which had been strongly fortified since its reversion to the French, was besieged by Amherst and Wolfe in June, 1758, and after a defence of seven weeks was compelled to surrender. A disastrous defeat was suffered at Ticonderoga in July, but was more than retrieved by the capture of Forts Frontenac and Duquesne. In 1759 Rhode Island again voted to furnish 1,000 men for the intended conquest of Canada. In September, Quebec, the chief objective point, surrendered to the daring of Wolfe. The conquest of all Canada was now only a matter of time, and in the following year was completed by the taking of Montreal. In this campaign of 1760 Rhode Island also had 1,000 men, who were disbanded when the success of the English arms was proclaimed.

England now had obtained possession of the Ohio Valley, the primary object of the war, and Canada as well. George II died in October, 1760, and to his successor, George III, was committed the project of 1761, of taking the French West Indies. Rhode Island contributed 400 men to this expedition, which, being waged to a greater extent upon the sea, was more to her liking. Although Spain joined with France in 1762, the supremacy of the English even against the two powers never remained in question. Martinique and other islands surrendered in quick succession. The final movement of the war was the expedition against the Spanish province of Cuba, in which Rhode Island had 262 men. In August, 1762, Havana, the strong Cuban fortress, was captured after a two weeks' siege, and the colony of New France ceased to exist.<sup>1</sup> On February 10, 1763, the Peace of Paris gave a settlement to England's great conquests in the New World. England gained practically everything east of the Mississippi and all Canada. Spain had all west of the Mississippi and as far north as the watershed of the Missouri. To France was given only the West Indies and some unimportant islands in the Gulf of St. Lawrence.

<sup>1</sup>Rhode Island's course in this war can be gleaned chiefly from the *Colonial Records*, from the early files of the *Newport Mercury*, established in 1758, from the series of official letters in the secretary of state's office, and from a vol. of "Papers relating to the old French war, 1755-1761" in the same office. The R. I. Hist. Soc. has nine muster rolls from 1756 to 1761 in "R. I. MSS." vi, 64-72. Letters written in the attempt to ascertain the names of the Rhode Island soldiers in the Havana expedition of 1762 are in *R. I. H. S. Publ.* vi, 192, 219.

Rhode Island had experienced considerable hardship during the war. Her commerce seems to have suffered especially. In 1758 it was stated that she had "lost from 90 to 100 vessels", a loss "three times as great as that of New York and four times as great as that of Massachusetts". And a list compiled in 1764 shows that 65 vessels had been either wrecked or captured since 1756 from the port of Providence alone.<sup>1</sup> These reverses were particularly felt in the commercial towns. A dissenter to the tax rate of 1759 asserted that "The merchants of the town of Newport have lost in the course of their trade, upwards of two millions of money since the commencement of the present war. The price of provisions and all other necessities of life, being greatly increased by reason of the war, is an additional burden to, and greatly distresses the inhabitants of said town, who depend on trade and labor for their support; at the same time, it may be observed, that the inhabitants of the other parts of the colony, are proportionately benefited in the price of the produce of their estates, occasioned also by the war".<sup>2</sup>

The excessive demands made upon her resources in contributing aid during the war, the colony had met by necessary issues of bills of credit. In 1755, £240,000, called "Crown Point money", was emitted, and in 1756 came £14,000 more, known as "Lawful money". From then until 1763 bills of credit were issued in small sums to meet the necessary expenses of government. The colony had much better success in redeeming these bills than before, chiefly through the means of English aid. When Parliament decided to reimburse the colonies for their war expenses, Rhode Island could then see light ahead. Beginning with August, 1756, there periodically arrived from England chests of silver and gold amounting in all to nearly £57,000 specie, which went a great way towards the redemption of the colony's large outstanding amounts. Yet in spite of this aid and the help of frequent colony taxes, she emerged from the war with a heavy debt which it took years to discharge.

During all this period these important questions of war and finance had been greatly influenced by the rival Hopkins and Ward parties. Hopkins had been steadily elected to the office of governor in the years

<sup>1</sup>Foster's *Hopkins*, II, 24, and *Prov. Gazette* for Jan. 21, 1764. See also list of losses in Sheffield's *Privateers*, p. 56. R. I.'s commerce at this time was certainly quite large, as may be shown in the list of privateers fitted out during the war (Sheffield's *Privateers*, p. 52.) and the list of the vessels owned in Providence, 1748-1760, compiled by Moses Brown. (Printed in the chapter on R. I. commerce elsewhere in this work.)

<sup>2</sup>*R. I. O. R.* VI, 212.

1758 to 1761, but the controversy was by no means ended. As a writer in the *Newport Mercury* says: "Party virulence had been increasing, until one general hostility pervaded the whole colony, which raged between the friends and supporters of the two candidates. It appears to have been a question about men, more than about measures. Between the mercantile and the farming interests, between the aristocracy of wealth and magnificence and the democracy of numbers, the colony was torn by domestic discord; town against town, and neighborhood



HOPKINS HOUSE, SITUATED ON HOPKINS STREET, PROVIDENCE.

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vided that Mr. Ward would do the same. This proposal Ward refused, preferring to leave the subject in the hands of the freemen. He was again defeated. In January, 1762, he followed the example of Hopkins by making propositions of peace, with the terms that both candidates should resign their pretensions and that a Newport man should be chosen governor and a Hopkins man deputy-governor.<sup>1</sup> This was of course refused, and Ward bent his energies towards the approaching election. He had a pamphlet published entitled "A Dialogue Between the Governor of the Colony of Rhode Island and a Freeman of the Same Colony". The governor, Hopkins, thus addresses the freeman: "Good morrow, sir; I just touched at your house this morning, to desire the favor of your vote for continuing me in my post the next year". The freeman replies: "I wish the public good would allow me to oblige your honor; but except you remove some doubts I have about the rectitude of your late administration, I can by no means grant you this favor". Then this diatribe goes on to arraign the administration, accusing the governor of perversion of the colony's funds to his own use and of various other transgressions in office. The Hopkins party immediately issued pamphlets in reply to the Dialogue, sarcastically denouncing its author and defending their own administration.<sup>2</sup> Ward's efforts towards public honors were now crowned with complete success. For the first time in the long struggle he was chosen governor at the election of May, 1762.

The election of 1763 promised to be a warm struggle. In September of the previous year the Governor and the assistants had claimed a negative over the Deputies in regard to certain proceedings about the election laws. This high-handed action occasioned much protest and operated adversely to the Ward party in the approaching election.<sup>3</sup> Both sides now girded themselves for the battle and invoked the columns of the public press as a means of spreading party doctrine. The *Providence Gazette* had recently been established in the northern town, henceforth serving as a useful political medium for the Hopkins

<sup>1</sup>Arnold, ii, 226, 235, quoting from MSS. in the secretary of state's office.

<sup>2</sup>A copy of the Dialogue, bearing the imprint of J. Franklin, 1762, is in the R. I. H. S. Library. It drew forth "A reply to a late Dialogue", falsely attributed to Governor Hopkins. I have seen no copy of this pamphlet, but it is advertised in the *Newport Mercury* of March 2, 1762. Another reply, commenting upon both the preceding pamphlets, is dated March 22, 1762, and entitled "Remarks on a late Performance, signed, A Freeman of the Colony, in answer to a dialogue between the governor of the colony of Rhode Island and a freeman of the same colony." A copy of this is in the R. I. H. S. MSS. vi, 26.

<sup>3</sup>See Arnold, ii, 239. In the "Foster papers," ix, 83, in the R. I. H. S. Library, is a long argument on this particular subject attributed to John Anlin.

party. Some one from the town of Cumberland wrote a public letter severely arraigning the Ward administration and calling upon his countrymen to "arise and assert their privileges". An anonymous writer, T. R., a cooper by trade, published "A Letter to the Common People", in which he attacked the financial policy of the party in power. This letter, though asserted to have been written without the least party view, was immediately answered by Ward's friends, which in turn drew forth from Stephen Hopkins, over his own signature, a circular letter to the freemen, denying all charges. His concluding sentence shows how easily these distinguished men could descend to vituperation and personal traducement: "To conclude—slander and defamation have always been the principal engines of Mr. Ward, to get himself into the chair: and to do him justice, no man has greater talents that way, than he, or uses them with more industry. As to this son of Gideon, whom Mr. Ward got to father his scurrilous performance, I shall take no other notice of, than that he is much better qualified to scrub a ship's deck, than to write politics".<sup>1</sup>

Again the tide of victory turned, and in May, 1763, Hopkins was chosen to the governor's chair by 271 majority. Too elated to let the opportunity pass, his party came out with an exulting lampoon, entitled "The Fall of Samuel the Squomicutite, and the Overthrow of the Sons of Gideon". In quaint imitation of Biblical phraseology, it relates how "in those days there was contention in the land of the Pumkinites, between Stephen the Choppomiskite, and Samuel the Squomicutite. And the inhabitants of Tropwen [Newport] sent message to Samuel the Squomicutite, saying we will give our daughters unto thy sons, and take thy sons for our daughters, we will become as one people, and fight thy battles against Stephen the Choppomiskite, if thou wilt come and dwell in the land of Tropwen. And Samuel being a weak man, hearkened unto the people of Tropwen, and came and dwelt among them, at different times, for the space of three whole weeks. And Samuel made affinity with Gideon and his sons". Then this libellous parable goes on to tell how Samuel promised to the sons of Gideon—Gideon Wanton, of course, is meant—all sorts of political preferment, how he made league with the "Money Changers" and

<sup>1</sup>The Cumberland broadside "To the Public" is signed by "A Freeman", and is dated Apr. 16, 1763. The Cooper's letter, dated Mar. 31, 1763, is a four page pamphlet, also reprinted in the *Prov. Gazette* of Apr. 9, 1763. The Hopkins broadside "To the Freemen of the Colony" is dated April 19, 1763. These rare items are all in the R. I. H. S. Library. I have never heard of the existence of a copy of the Ward pamphlet which Hopkins intimates was written by a son of Gideon Wanton.

strove for the votes of the laboring men. The fall of Samuel and the triumph of Stephen is thus jubilantly portrayed. "Now the Quakerites, Choppomiskites, and Narragansetites, liked not the doings of Samuel and the sons of Gideon, and they set the battle in array against Samuel, and they smote him hip and thigh, so that the killed and wounded of that day, were dispersed throughout all the land of the Pumkinites, from the land of the fisherman, eastward, until thou comest to the great river Paukituck, westward. And the battle went sore against the sons of Gideon, several of them were slain, and those that remain, were sore affrighted".<sup>1</sup>

On February 28, 1764, Governor Ward addressed to the general assembly a proposal which he thought might end the strife. It was in effect that both he and Governor Hopkins should "resign our pretensions to the chief seat of government; for the passions and prejudices of the people have been so warmly engaged for a long time against one or the other of us, that, should either Mr. Hopkins or myself be in the question, I imagine the spirit of party, instead of subsiding, would rage with as great violence as ever", etc. This proposal, like a similar one made by Governor Ward in 1762, produced no good result, since it was again proposed that the Governor should be a Newport man. On the very same date as the Ward letter, Hopkins wrote to his opponent, offering him the post of Deputy-Governor as a means of settling the dispute. But Ward had no wish to play "second fiddle", and replied, "I am neither seeking nor desiring the office of Governor or Deputy-Governor. My sole aim is to restore peace to the Colony, and as my accepting this office will not in my opinion have any tendency to obtain that desirable end or answer any other good purpose, I cannot agree to it".<sup>2</sup>

<sup>1</sup>There are two slightly differing editions of this rare broadside. The R. I. H. S. Library has copies of both. They are undated, but undoubtedly were printed just after the election of 1763. They might possibly, however, have been printed after the Hopkins triumph of 1761.

<sup>2</sup>The two letters of Feb. 28, 1764, are printed in Gammell's *Life of Ward*, p. 270. The reply of Ward, dated Feb. 29, 1764, is from a copy in the R. I. Hist. Soc. Library. James Honeyman and other magistrates went to Ward, March 1, 1764, making proposals similar to those made by Hopkins. Ward replied with a letter, dated March 2, 1764, saying: "The proposals which you have been pleased to make me will not in my opinion answer the desirable end proposed". He then continues with his reasons for not accepting the office of Deputy-Governor, upholding his own position in the controversy, saying, among other things, that "a very great part of the freemen of this Colony have for a long time opposed Gov'r Hopkins's administration with zeal and warmth, and that it is not probable this plan will satisfy those gentlemen, as by it Mr. Hopkins is to remain in the Chair". (From copies in the R. I. Hist. Soc. Lib'y.) Hopkins wrote a political letter to the *Prov. Gazette*, issue of April 7,



Hopkins again triumphed in the election of 1764, but by the very narrow majority of 24 votes.<sup>1</sup> By the following year, however, the Ward party had acquired sufficient strength to elect their candidate, and he triumphed in 1765 by a majority of 200 in a vote of 4,400. Early in the next year, Ward made another attempt at pacification, which, as usual, failed because of that gentleman's insistence that Newport should control the government. On March 1, 1766, Daniel Jencks wrote from South Kingstown, in reply to a proposal made by Mr. Ward on the previous day. This proposal was in effect that Mr. Jencks should take the governor's chair and locate in Newport; that the Deputy-Governor should remain in Providence, and that the Council should be divided. Mr. Jencks proposed in his reply that "the late Governor Hopkins and Col. Wanton on one side and your Hon'r and the present Depu'y Gov'r on the other, together with such a number of the principal gentlemen of the Colony as you shall agree upon, have a meeting either at East Greenwich or Bristol . . . where I doubt not but such a plan may be agreed upon as will once more unite all parties and restore peace and tranquillity to this divided Colony".<sup>2</sup>

Nothing appears to have been accomplished under this proposal and Mr. Ward filled the office of Governor until 1767. In the spring of that year the old conflict assumed its customary activity. After a zealous attempt at pacification, which was attended with the usual lack of success, the rival parties met at the polls to test their respective strength. Hopkins was elected governor by the large majority of 414.<sup>3</sup>

1764, printing these offers of peace and condemning the refusal of the Ward party to accede to them. There is an electioneering letter from Ward to Peter Phillips of North Kingstown, dated March 16, 1764, in the R. I. H. S. MSS, II, 101. Ward also wrote a letter to the public, dated April 10, 1764. For a letter by Hopkins, Apr. 16, 1764, in justification of Joseph Wanton, see Peterson, *Hist. of R. I.* p. 208.

<sup>1</sup>A MS. enumeration of the votes of this election, in the R. I. H. S. Lib'y, shows that Hopkins received 1,992 votes to Ward's 1,968 votes. The distribution of the vote is interesting. Ward won in Newport county except Jamestown, in all Washington county, in Kent county, except Warwick, in Bristol, and in Glocester and Johnston of Providence county. Hopkins carried only five towns in Providence county, Warren, Jamestown and Warwick, above mentioned, but eight out of twenty-seven towns. The great majorities obtained by Hopkins, however, in the towns that he did carry, won the day. The above figures are all the proxy votes made by the towns at their meetings the third Wednesday in April. The "hand votes" amounted to six for Ward and four for Hopkins. This small number was on account of the change in the election law in August, 1760, when personal voting at the May election, was limited to the assembly.

<sup>2</sup>From a copy of the letter in the R. I. H. S. Library.

<sup>3</sup>For the attempts at pacification see the letters on the subject printed in the *R. I. C. R.* vi, 550-554. The detailed vote by towns, giving 1,153 to Hopkins and 739 to Ward, is in the *Prov. Gazette*, Apr. 18, 1767.

This signal victory showed the probability of further continuance of this political struggle which both sides now agreed must be stopped, even at the cost of party pride. In October, 1767, Hopkins urged upon the assembly the necessity of ascertaining "some method to heal our breaches, prevent animosities, and introduce peace and harmony and consequently happiness among the people. In order to do this I am willing and ready and freely offer to resign and give up the office that I sustain, and to do any and every other thing in my power that may any way contribute toward so desirable an end as the peace of the colony". His own proposition was as follows: "That Mr. Ward and his friends should nominate a Governor from among those in the interest of Mr. Hopkins, who were to appoint a Deputy-Governor of the friends of the first-named gentleman, and so on alternately with all the assistants; or, if Mr. Ward and those in his interest, should decline the first nomination, his Honor, and those interested with him, will nominate a Governor from the friends of Mr. Ward, and so on as before".

Since Mr. Ward was not present when the plan was offered to the assembly, it was not then adopted. But early in the following year both parties addressed themselves to the matter with earnest effort. On March 11, 1768, a committee of ten Newport citizens, representing Mr. Ward, wrote to Governor Hopkins that "the plan hath since been considered; and induced by a strong regard to the American interest in general and the peace and felicity of this unhappy colony in particular; and to avoid the contention which must infallibly take place without a coalition of parties. Moved by these considerations only, we consent to make trial of the plan, and now inform your Honor that we do, with the consent of Mr. Ward, accept of your proposals with this addition, that the Secretary, General Treasurer, and Attorney-General remain as at present, which in our opinion will tend to prevent any dispute about the General Officers.—that is to say.—That your Honor and Mr. Ward both retire and relinquish your pretensions to the office of Governor; that you, Sir, with your friends nominate a Governor from among Mr. Ward's friends; that Mr. Ward with his friends nominate a Deputy Governor from among the friends of your Honor; that the Assistants be nominated alternately by you and your friends and by Mr. Ward and his friends in the same manner as the Governor and Deputy Governor are to be nominated; and that the other General Officers remain as at present".

This proposed arrangement was accepted on March 17, with a further provision "that the same manner of nomination be carried

thro' all the officers of the several Courts in the Colony'', these nominations to be made alternately from among the friends of each contestant beginning with a Chief Justice of the Superior Court chosen by the Ward party from among Mr. Hopkins's friends.<sup>1</sup> This amendment was agreed to by Ward's friends on March 24, and five days later committees representing both parties met at Newport and concluded the treaty. Josias Lyndon of Newport was agreed upon for governor, and Nicholas Cooke of the Hopkins faction for deputy-governor, who in April were chosen to their positions by overwhelming majorities. Hopkins and Ward relinquished all future aspirations for the office, and in other capacities henceforth served their colony as faithfully and more profitably than before.

Thus came to an end the historic Ward-Hopkins controversy. Fortunately for the interests of the colony in general, as well as for the future good repute of its principal actors, this long and bitter struggle came to a peaceful settlement, although it was many years before the feelings engendered by it were wholly dispelled. The preceding ten years had surely been a decade in which discord and dissension had had full sway, and in which the evil effects had been visited both on the colony and on the participants. "Both parties", says an early Newport writer, "were heartily tired of the expense, discord and corruption which had marked its progress".<sup>2</sup> Neither of the chief actors had much cause for congratulation. "It is difficult", says an authority on the subject, "to comprehend the blindness

<sup>1</sup>The documents illustrating this final settlement were preserved by Moses Brown and are in the R. I. H. S. Library. Lyndon's own account of his election is in Moses Brown Papers, i, 94. See also the account from the *Newport Mercury*, reprinted in *R. I. C. R.* vi, 548.

<sup>2</sup>*R. I. C. R.* vi, 550. This matter of bribery and expense at elections is well authenticated. Col. Robert Rogers, in his *Concise Account of N. A.* p. 55-59, writes in 1765 concerning the R. I. method of electing governors, "Generally he that distributes the most cash, and gives the best entertainments, let him be merchant, farmer, tradesman, or what he will, is the man who obtains a majority of votes, which fixes him in the chair (death alone excepted) for that year. These election expenses generally run high, as each candidate endeavors to excel his competitor". Governor Hopkins sends money down to South County "with the utmost regret that I find myself pushed by the scandalous efforts of my enemies in this manner to have recourse to the assistance of my friends once more in this extraordinary method". (See letters in *Narr. Hist. Reg.* ii, 109.)

An electioneering song, written by one G. B., amusingly portrays this corruption in politics, not peculiar to Rhode Island, however. It begins thus:

"In Providence town, that old place of renown,  
A certain great man did bear rule.  
And he who was not his creature to show his ill nature  
He would call him a knave or a fool."

of this partisan feud. The phenomenon would be a surprising one under any circumstances; but is almost incredible when the character, abilities, and attainments of the two chief actors in the contest are considered; and when it is remembered that in nearly every other connection they were distinguished by judicial fairness of temper".<sup>1</sup>

It is equally difficult to assign any satisfactory reasons for the intensity of the controversy. At first chiefly a difference between sections in regard to certain measures, it gradually grew to be a difference between men. And then political issues, local jealousies, and personal enmity became so indiscriminately mixed that it seemed as if the bitterness and discord of partisan politics were reproduced in inverse ratio to the small size of the colony. The results of the contest were not especially significant. The town of Providence came out a gainer both in political and governmental influence, although this was undoubtedly brought about by her commercial and economic growth more than by any political triumph of Hopkins. Her improvement along economic and social lines had certainly been remarkable. During the decade of the Hopkins-Ward controversy her commerce had almost doubled, trade and manufactures were encouraged, and her wealth had notably increased. She had established a library in 1754, a post-office in 1758, and a newspaper in 1762; and more than all this, in 1770 she had won away from Newport and every other town in the colony the honor of having Brown University as a local institution.<sup>2</sup> A less edifying

It goes on to relate how Ward suddenly arose as an opponent and in print disclosed Hopkins's perfidiousness. The Governor thereupon called the assembly and proposing a plan for overturning Ward, asks their advice:

"Then they all did say we think it is the best way  
For we do think he did act very bold,  
As to dare to reply and to point out those lies  
It appears that your honor hath told."

In the same lofty strain, the poet tells of Hopkins's fears for the approaching election and his liberal use of illicit means. The following stanzas vividly portray the scene on election day:

"At Newport on the election day  
Held in the month that's called May,  
Some honest men assembled were  
That day to choose their governor.  
But to their grief they there did find  
The drunk, the halt, the lame, the blind,  
Who like knaves with them this trick did try  
To break the act against Bribery."

The poem then concludes with a scurrilous attack on Hopkins's character. (R. I. H. S. MSS., ix, 27. There is another ballad on the subject of election expenses in the *Newport Mercury*, Aug. 29, 1768.)

<sup>1</sup>Foster's *Hopkins*, ii, 31.

<sup>2</sup>For the various early developments in Providence, see Foster's *Hopkins*, i, ch. 5. The documents concerning the contest for the location of the college,

result was the jealousy and enmity manifested between the northern and southern towns, which only the common hardship of a lasting war could dispel.

The united aid of such influential men as Hopkins and Ward was needed in matters far more important than the triumph of this or that political faction. Since the close of the French war, events had been conspiring to bring on almost constant friction between the colonies and the mother country. The new King, George III, had almost from the moment of his accession begun to adopt a more imperious policy towards the colonists; and they in turn, conscious of their military strength and more accustomed to united action, were ready to assume an independent attitude when the occasion offered. When Grenville became head of the cabinet in 1763, he inaugurated three lines of policy henceforth insisted upon by the British government. The first was the rigid execution of the Navigation Acts whereby English merchants could reap a middleman's profit, the second was the taxation of the colonies for the partial support of British garrisons, and the third was the permanent establishment of British troops in America.

One of the first propositions of the new ministry was to renew the Sugar and Molasses Act of 1733, which prohibited all direct trade in those staple articles between the colonies and the West Indies. Immediately Rhode Island, in common with the other governments, convened her assembly in January, 1764, and ordered her London agent, Joseph Sherwood, to join with the other agents in resisting this scheme. Governor Hopkins furthermore drew up an elaborate remonstrance, setting forth the injurious effects of such an act. His clear and forceful argument showed how dependent the colony, whose chief means of existence lay in commerce, was upon this trade and how a prohibition of it would injure her beyond measure. "Upwards of thirty distil houses, for want of molasses, must be shut up to the ruin of many families and of our trade in general. Two-thirds of our vessels will become useless, and perish upon our hands; our mechanics, and those who depend upon the merchant for employment, must seek for subsistence elsewhere; and what must very sensibly affect the present and future naval power and commerce of Great Britain, a nursery of seamen, at this time twenty-two hundred, in this colony only, will be in a manner destroyed; and as an end will be put to our commerce, the merchants

are either printed or quoted in Guild, *B. U. and Manning*, the originals being chiefly in the R. I. H. S. Library.

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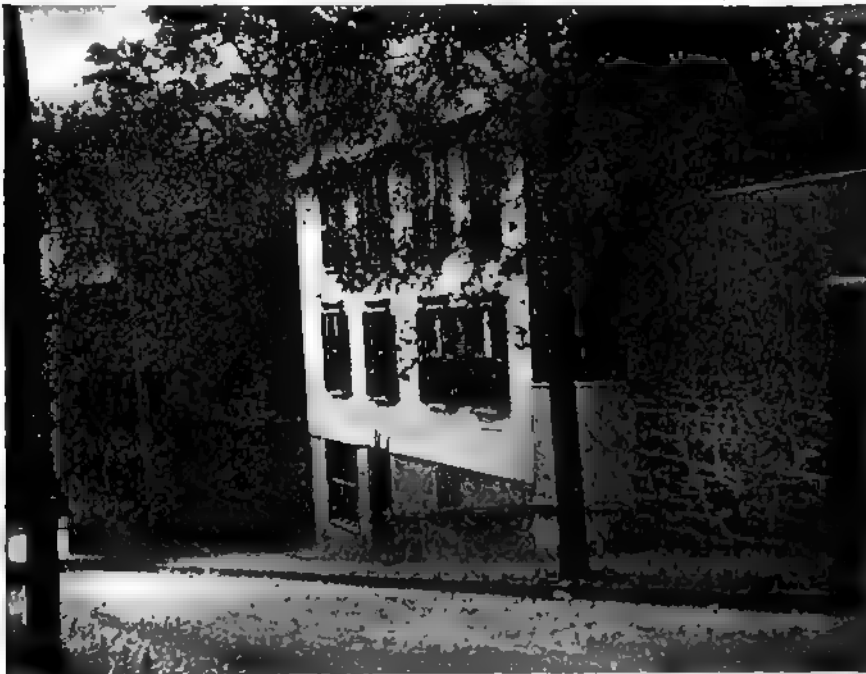
During all this period these important questions of war and finance had been greatly influenced by the rival Hopkins and Ward parties. Hopkins had been steadily elected to the office of governor in the years

<sup>1</sup>Foster's *Hopkins*, II, 24, and *Prov. Gazette* for Jan. 21, 1764. See also list of losses in Sheffield's *Privateers*, p. 56. R. I.'s commerce at this time was certainly quite large, as may be shown in the list of privateers fitted out during the war (Sheffield's *Privateers*, p. 52.) and the list of the vessels owned in Providence, 1748-1760, compiled by Moses Brown. (Printed in the chapter on R. I. commerce elsewhere in this work.)

<sup>2</sup>*R. I. O. R.* VI, 212.



1758 to 1761, but the controversy was by no means ended. As a writer in the *Newport Mercury* says: "Party virulence had been increasing, until one general hostility pervaded the whole colony, which raged between the friends and supporters of the two candidates. It appears to have been a question about men, more than about measures. Between the mercantile and the farming interests, between the aristocracy of wealth and magnificence and the democracy of numbers, the colony was torn by domestic discord; town against town, and neighborhood



HOPKINS HOUSE, SITUATED ON HOPKINS STREET, PROVIDENCE.

Here lived Stephen Hopkins, governor of Rhode Island and a signer of the Declaration of Independence.

against neighborhood; almost every freeman was enlisted in one or the other ranks, and felt towards each other that hostility which abated even the charities and hospitalities of life".<sup>1</sup>

Shortly before the election in 1761, Hopkins offered "for the peace of the colony" to withdraw his name from the political canvass, pro-

<sup>1</sup>Quotation from the *Newport Mercury* in *R. I. O. R.* vi, 549.

icated the spirit of freedom. In Newport the demonstrations were more violent, resulting in the hanging in effigy of obnoxious Tories and in plundering their houses.

The general assembly met in September, 1765, and gave their close attention to these important matters. They adopted a series of six resolutions, claiming that "the general assembly of this colony have, in their representative capacity, the only exclusive right to lay taxes and imposts upon the inhabitants of this colony", who "are not bound to yield obedience to any law or ordinance designed to impose any internal taxation whatsoever upon them, other than the laws and ordinances of the general assembly, aforesaid". Similar bold legislation was embodied in instructions to the delegates to the proposed Stamp Act Congress.<sup>1</sup> The sentiment of union and common defence that had gradually been forming throughout America manifested itself in this gathering of prominent men at New York in October, 1765. With careful deliberation they drew up a "Declaration of Rights and Grievances", asserting their privileges as Englishmen and complaining of Parliament's unjust legislation. Surprised at these bold utterances and at the unmistakable evidences of America's hostility, Parliament met, and after a long debate, in which the venerable Pitt insisted that "England has no right to tax the colonies", repealed the Stamp Act by a vote of more than two to one. Unwilling, however, to yield in principle, they passed an amendatory act declaring the right of Parliament to tax and otherwise govern the colonies in all cases whatsoever.

The news of the repeal was greeted by the colonists with extravagant demonstrations of joy. The Rhode Island assembly adopted an address of thanks to the King and ordered a day of public thanksgiving. In the larger towns, like Providence and Newport, the firing of cannon and the ringing of bells, the display of flags and of fireworks, and the public demonstrations of processions, dinners, and balls, all attested the people's gratitude for their deliverance. But their joy was to be short-lived. The year 1766 witnessed a change in the English government. Pitt, although created prime minister, was too aged to direct affairs, and the control of the colonies fell into the hands of Townshend, who was Chancellor of the Exchequer. This active official quickly resumed an imperial colonial policy. The execution of the navigation acts was given over to a board of commissioners with plenary powers, and soon a complete colonial department was

<sup>1</sup>For these resolutions see *R. I. C. R.* vi, 450-452. For R. I.'s part in urging this Congress, see Foster's *Hopkins*, II, 70-71.

created. In May, 1767, a new scheme of taxation was devised, laying import duties upon glass, lead, paints, paper, and tea. This plan, which avoided the objection to internal taxes, was not financially burdensome to the colonies, but it again brought up the former question of the right of taxation. The law officers of the Crown had often rendered their opinion that, as a principle of English law, the colonies could not be taxed except through their own representatives. And the colonies insisted that the violation of this principle was unjust and tyrannical.

In Rhode Island, as elsewhere, the information that new importation acts had been passed was received with indignation. The time had come for determined and united action. Such a necessity undoubtedly was the controlling factor in the settlement of the party contest that had existed in Rhode Island for so many years. When compared with the momentous question of resistance to oppression and a possibility of national independence, this petty local strife lost its importance. Matters of too great portent forbade that it be continued, and accordingly it ceased. Henceforth the colony could give its undivided attention to the great subjects of the hour. Whether the future meant resistance or submission, slavery or freedom, Rhode Island could enter the contest with untrammelled powers.

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## CHAPTER XIV.

### THE PERIOD OF COLONIAL RESISTANCE.

The effort of Parliament to coerce the colonies into a belief in the British principle of taxation met with tremendous opposition in America. Boston quickly led the way in a proposition refusing to import any of the articles listed in the tax. Providence and Newport soon followed suit, and passed acts to discourage the use of English goods and to encourage home manufacture.<sup>1</sup> In February, 1768, Massachusetts sent out a circular letter to the other colonies protesting against the new laws and inviting concerted action against them. Parliament immediately took great offence at this letter. Lord Hillsborough wrote to Rhode Island, "Exert your utmost influence to

<sup>1</sup>See *Prov. Gazette*, Nov. 28, Dec. 12, 1767.

defeat this flagitious attempt to disturb the public peace, by prevailing upon the assembly of your province to take no notice of it, which will be treating it with the contempt it deserves". The reply to this command was decisive, patriotic and suggestive of Rhode Island independence. "On the contrary, that letter appears to this Assembly to contain not only a just representation of our grievances, and an invitation to unite in humble, decent and loyal addresses to the throne for redress, but also sentiments of the greatest loyalty to His Majesty, of veneration for his high court of Parliament, of attachment to the British constitution, and of affection to the mother country. . . . Therefore, this Assembly, instead of treating that letter with any degree of contempt, think themselves obliged, in duty to themselves and to their country, to approve the sentiments contained in it".<sup>1</sup>

This response from Rhode Island, as well as from all of the other colonies, was emphatic for resistance to tyranny. At the same time, repeated communications were sent by the general assembly to Parliament expressive of the most sincere and unfailing loyalty, provided the obnoxious measures were abolished. The Massachusetts circular letter met with much favor in Rhode Island. On September 16, 1768, an address to the King was drawn up, in which the colonial grievances were given and the opinion hazarded that the late acts of Parliament imposing duties and taxes in America were not for the regulation of commerce, but for the express purpose of obtaining money. These spirited replies did not engender any too good feeling between the home government and the colonies.

Meanwhile the offensive duties had gone into effect, but the fearless spirit of the colonists and their former disregard of revenue laws led to frequent friction with the English custom officers. One of the very earliest instances occurred in Rhode Island, in July, 1769. The British armed sloop *Liberty*, Captain William Reid, was cruising about the bay and Long Island Sound, seeking contraband traders. On the 17th she brought into Newport two Connecticut vessels on suspicion of illicit trade. In an altercation between some of the *Liberty's* crew and the captain of one of the captured ships, the latter was maltreated and his boat fired upon by the *Liberty*. On the same evening Reid was on the wharf, when the citizens forced him to order his men, with the exception of the first officer, on shore. This accomplished, a party boarded the vessel, sent the officer ashore, cut the

<sup>1</sup>*R. I. C. R.* vi, 541, 563. Hillsborough's letter is dated Apr. 21, 1768, and the Rhode Island reply Sept. 17.

cable and scuttled the sloop on the Point. Her boats were carried to the upper end of the town and burned. In the meantime the two Connecticut vessels escaped. Governor Wanton issued a proclamation for the arrest of the offenders, but without effect. This was not in itself a great deed, but it stands in history as the first overt act of the impending revolution.<sup>1</sup>

It was found much more difficult to adhere to the non-importation agreements than to make them. The private interests of merchants throughout the whole country often got the better of their patriotism. Providence was obliged to take energetic measures, and on October 10, 1769, the merchants of the town pledged themselves to maintain the agreements made until every portion of the revenue act should be repealed.<sup>2</sup> In Newport the matter was much more serious. That town, almost from its very establishment, had shown strong royalist tendencies. Although in the present crisis the great majority stood firm against king and parliament, there was a small fraction, gradually coming to be called Tories, which adhered to the royal cause. On October 30, 1769, the merchants of the town "entered into a very spirited and constitutional agreement of non-importation", to continue until every duty was repealed.<sup>3</sup> But this patriotic beginning was soon defeated by rumors of a repeal of the revenue act, which induced the Newporters to set aside their agreement. The Providence merchants, who had in the meanwhile voted to "harmonize with the other colonies in their united agreements", were much incensed, and the town passed a vote of censure upon Newport. For some reason the impression gained ground that Providence had departed from non-importation. Several towns refused her vessels port entry, while the town of Windham, Connecticut, published a spirited protest. This angered the

<sup>1</sup>See *Newport Mercury*, July 24, 1769; *Prov. Gazette*, July 22, 1769; *R. I. C. R.* vi, 594. An account of the general friction existing between the colonists and the revenue officers is given in G. C. Mason's *British fleet in Rhode Island* (*R. I. H. S. Coll.* vii, 301.)

<sup>2</sup>*Prov. Gazette*, Oct. 14, Oct. 21, 1769.

<sup>3</sup>*Newport Mercury*, Nov. 6, 1769. A few months previous a patriotic communication to the *Mercury* of February 13, 1769, said:

"I hope the gentlemen who fill the several offices in this Colony will recommend themselves to their constituents by encouraging and patronizing our own manufactures, and I am so much in earnest to save my country from ruin, that I am resolved if I live, let others do what they will, not to give my vote for any of the candidates at the ensuing election who do not appear principally clothed in cloth, made either in this colony or some part of America. Let a man's zeal for his country appear ever so flaming, if he is attired in foreign fineries, I can't believe his patriotism is sincere, for his very apparel gives him the lie."

Providence merchants, who considered themselves as sufferers for the conduct of another town. One irate writer in the *Providence Gazette*, in language more forcible than elegant, exclaimed: "The distinct parts of this Colony have been unhappily blended together, whereby we have suffered for the crimes of our neighbors. The merchants of Newport broke through the agreement, and were highly censured by the northern part of the Colony; the Town of Providence, 'tis well known, passed a vote of censure against them, which they affected to ridicule, in a very awkward manner. 'Tis with pleasure I observe, that none of the Colonies have passed any censures upon this Town in particular; this was reserved for the little, dirty, insignificant Town of Windham, in Connecticut, the inhabitants of which, without the least shadow of reason, have dared publicly to stigmatize a people, than whom none have been more zealous in supporting the cause of American liberty".<sup>1</sup>

Parliament had, indeed, rescinded the duty on everything but tea in April, 1770. But there was no attempt to lighten the acts of trade, and the abstract right to taxation was fully retained. For about two years there was a period of comparative calm. Sources of irritation there certainly were, but the colonists hoped for a peaceful adjustment of all matters. The enforcement of the revenue laws finally gave rise to armed hostility. In June, 1772, occurred an act of violence in Narragansett Bay, whereby a royal ship of war was captured and sunk, and the first British blood of the Revolution was shed. His Majesty's schooner *Gaspee*, in command of Lieutenant Duddingston, had long annoyed the commerce of Newport and Providence. In interpreting the performance of his duty too strictly, he had detained unoffensive vessels, plundered the people on shore, and illegally used Massachusetts instead of Rhode Island courts. Exasperated by what they deemed violations of the law, the Rhode Island colonists were in a mood to take extreme measures. On the night of June 9, 1772, the *Gaspee*, in chasing a packet sloop up the Bay, grounded on Namquit Point. The patriots of Providence, hearing of this, resolved to attack the British vessel. A party of armed men quickly gathered. About

<sup>1</sup>*Prov. Gazette*, June 30, 1770. See also *Idem*, May 26, 1770, and *Newport Mercury*, June 4, 1770. Styles in his *Diary*, i, 54, alludes to the Newport violation as an instance how "five or six Jews and three or four Tories may draw down vengeance upon a country". The Newport merchants, in the meantime, had reverted to their former non-importation agreement, and the merchants of Boston voted that "the town of Providence had faithfully adhered to the non-importation agreement, and that all reports to the contrary are without foundation". (*Idem*, Sept. 15, 1770.)



midnight they boarded the vessel, wounding some of her officers, and finally left her to burn to the water's edge. This high-handed act greatly incensed the royal government. Large rewards were offered to convict the perpetrators and a commission was quickly appointed to inquire into the matter. But the colony authorities were indifferent, and even independent, and accordingly nothing was accomplished.<sup>1</sup> The whole transaction excited much interest throughout the country, particularly as the ministerial scheme of sending accused persons to England for trial was regarded as an encroachment upon colonial rights. As Samuel Adams said in referring to the incident, "An attack on one colony is an attack on all."<sup>2</sup>

Lord Dartmouth succeeded Hillsborough in 1773, but this made little change in conditions on this side of the Atlantic. All through that year opposition to the King gained in force and intensity.<sup>3</sup> The initiatory movement early in March in Boston to create a union of the towns in that province, with a view toward ultimate union of the colonies, was approved by Virginia, and steps were taken for the appointment of committees of correspondence.<sup>4</sup> These measures were very important as foreshadowing the later American Congress first proposed in Rhode Island.

The tea duty, the remnant of the Townshend taxation acts, still remained to invoke colonial opposition. On December 16, 1773, the famous Boston Tea Party emptied several hundred chests of the offensive article into the waters of Boston Harbor, and elsewhere in the country pronounced enmity was shown. Rhode Island adopted

<sup>1</sup>The destruction of the *Gaspee* is referred to in greater detail in the chapter on The Wars and the Militia. The documentary history of the matter can be found in *R. I. C. R.* vii, 55-192 (reprinted as Bartlett's *Destruction of the Gaspee*); Staples, *Destruction of the Gaspee*; *R. I. H. S. Proc.* 1890-91, p. 80; *R. I. H. S. Publ.* vii, 238; Arnold, ii, 318; *Prov. Gazette*, June 13, 1772.

<sup>2</sup>Well's *Life of S. Adams*, ii, 15.

<sup>3</sup>In the *Newport Mercury* of Jan. 18, 1773, a Boston writer used the following language: "My own opinion is this, that no people on earth have a right to make laws for the Americans but themselves. . . Truth and common sense will at last prevail, and if the Britons continue their endeavors much longer to subject us to their government and taxation, we shall become a separate state". These sentiments were general throughout the colonies.

<sup>4</sup>The Rhode Island Committee of Correspondence consisted of Stephen Hopkins, Metcalf Bowler, Moses Brown, John Cole, William Bradford, Henry Marchant, and Henry Ward. In the letter from the Speaker of the Rhode Island House of Representatives to the Virginia House of Burgesses, May 15, 1773, was the declaration that "nothing less than a firm and close union of the colonies in the most spirited, prudent and consistent measures can defeat the designs of those who are aiming to deprive them of their inestimable rights and privileges". The same sentiment appears in various other correspondence of that period. (See *R. I. C. R.* vii, 227.)

prompt measures in full sympathy with the attitude of Boston, New York, and Philadelphia. The first meeting in this colony for the consideration of the subject was held in Newport early in January, 1774, and another followed in Providence.<sup>1</sup> Similar gatherings were held during the month of February in most or all of the towns. The Providence meeting adopted the following: "We, the freemen of the town of Providence, legally assembled in meeting, cannot be silent on so interesting and alarming an occasion. Should we, in this case, omit to assert and express the firmest resolutions to vindicate our rights, it might be construed as a cession of them into the hands of those who have wantonly evaded them in this instance." Further resolutions against permitting the landing of tea in the port, and applauding the action of the populace in Boston Harbor were also adopted. The Bristol meeting went even further in saying that, since the charter was broken, the people might "in time be provoked to renounce their allegiance and assert an independency".<sup>2</sup>

The defiance and the daring resistance of the American colonies created a great division of feeling in England. Although many recognized the American grievances and recommended conciliation,<sup>3</sup> Parliament took the unwise course of passing illegal laws to punish these American acts of resistance. In 1774 it passed five coercive acts, one prohibiting all commercial intercourse with the port of Boston, another requiring that "persons questioned for any acts in execution of the law" should be sent to England for trial, and another for quartering soldiers in America.

<sup>1</sup>A Newport news item in the *Providence Gazette* of January 8, 1774, says: "We can assure the public, that a lady in this town, of affluent circumstances, and equal to any one in it for good sense, politeness and consequence, last week came to the resolution to have no India tea drank in her family, until the duty is taken off."

<sup>2</sup>*R. I. C. R.* vii, 272-280.

<sup>3</sup>Catharine Macaulay, the English historian and a strong Whig, in a letter to Henry Marchant of October, 1774, thus voices the Whig feeling in England at the time: "The situation of England and her colonies is grown very alarming and critical. You undoubtedly saw enough of this country on your last visit to be convinced that no degree of public virtue exists in the generality of Englishmen. Some few amongst us yet retain sentiments worthy a Roman breast, and those few wait with all the anxiety which the possession of fear and hope occasion, and the determinations of America, determination which in their opinion will either establish the power of our despots on a permanent basis, or lead to the recovery of our almost lost liberties. As you read the English papers, it may perhaps be needless to inform you that my brother Lawbridge has strenuously defended the rights of America through the whole last session of Parliament, and even in some points when almost every member of the House was against him". (From a copy in the the R. I. H. S. Library.)

A union of the colonies in some form was now the chief subject of discussion, and the officials and private citizens of Rhode Island were among the foremost advocates of the measure. The first proposal by any political body that such a congress should be called emanated from the town of Providence, which, at a meeting, on May 17, 1774, instructed her deputies to "use their influence at the approaching session of the General Assembly of this Colony, for promoting a congress, as soon as may be, of the representatives of the General Assemblies of the several colonies and provinces of North America, for establishing the firmest union; and adopting such measures as to them shall appear the most effectual to answer that important purpose; and to agree upon proper methods for executing the same".<sup>1</sup> A few days later the Virginia House of Burgesses formally recommended the plan. The Rhode Island assembly, on June 14, took action favoring the Congress and appointed delegates—Stephen Hopkins and Samuel Ward—to attend such a convention.<sup>2</sup> During this same session sympathy was expressed for the people of Boston, stricken by commercial isolation, and future aid was promised them. This sympathy produced practical results in substantial subscriptions from the several Rhode Island towns during many succeeding months.<sup>3</sup>

That American statesmen now foresaw war is indicated by military preparations on every hand. The act was passed by the general assembly at the June session, 1774, establishing the Providence Light Infantry. This was followed by a more general act in October, appointing a committee to consider petitions for the establishment of independent companies in Providence, Newport, East Greenwich, and other towns. In December a part of the armament of Fort George was ordered to be removed to Providence, and at the same session a Train of Artillery was established in Providence and armed, and the purchase of quantities of ammunition was ordered. Other companies authorized were the Scituate Hunters, the Providence Artillery, the Providence Fusileers, and the North Providence Rangers. At the

<sup>1</sup>*R. I. C. R.* vii, 280. See also Staples, *R. I. in the Continental Congress*, p. 10, and Foster's *Stephen Hopkins*, ii, 232.

<sup>2</sup>*R. I. C. R.* vii, 246. Thus Rhode Island was the first assembly to make an express call for a congress and also the first to appoint delegates. Many of the other colonies, however, were preparing similar legislation at the same time. To Massachusetts belongs the honor of fixing the time and place of meeting. Rhode Island's participation in the Congress which assembled in Philadelphia, Sept. 5, 1774, is traced in Staples's *R. I. in the Continental Congress*, p. 14-21.

<sup>3</sup>See *R. I. C. R.* vii, 283; *Mass. Hist. Soc. Coll.* iv, 1-278; and Bates, *R. I. and the formation of the Union*, p. 52-53.

December session, also, an act was passed "regulating the militia of this colony".<sup>1</sup> Early in the course of events it was seen that one of the principal difficulties of the patriot army would be to obtain firearms, and measures were adopted for their manufacture at home. Both small arms and cannon were turned out and many of the recently formed companies were supplied by Rhode Island manufacturers.<sup>2</sup>

The 1st of March, 1775, was the day on which the use of British tea was to be wholly proscribed. The long-existing sentiment throughout the colony on this subject was aroused to an enthusiasm that was not exceeded even in Boston,<sup>3</sup> and a striking exhibition was planned in Providence. The Gazette of March 4 contained the following: "On the 2nd the Town Cryer gave this notice: 'At five of the Clock this Afternoon, a Quantity of India Tea will be burnt in the Market Place. All true Friends of their Country, Lovers of Freedom, and Haters of *Shackles* and *Hand-cuffs*, are hereby invited to testify their good Disposition, by bringing in and casting into the Fire, a needless Herb, which for a long Time, hath been highly detrimental to our Liberty, Interest, and Health'." At the appointed time a fire was started on Market square and upon it was cast a tar barrel, a copy of Lord North's speech and other objectionable material. Women and men brought their tea to the extent of about 300 pounds and fed the rising flames. The Gazette said there was "great cheerfulness in committing to destruction so pernicious an article", and continued: "Whilst the Tea was burning, a spirited Son of Liberty went along the streets with his brush and lampblack, and obliterated or unpainted the word TEA on the shop signs."

From this time forward the march of events was rapid. The continuance of the repressive acts and the presence of British troops at Boston placed a premium on friction. A second Congress was preparing to raise a military force and proposing methods of combination. It only needed a slight action to kindle the smouldering spirit of resentment into the fierce flame of revolution. On April 19, 1775, British assumption of authority was met with armed opposition. At Lexington and Concord the momentous struggle had begun.

<sup>1</sup>*R. I. C. R.* vii, 247, 258, 260-264; Arnold, ii, 342-344. For a list of chartered companies, see Smith's *Civil and Military List*, p. 658.

<sup>2</sup>A Newport item in the *Providence Gazette* of Feb. 11, 1775, said: "A number of excellent fire-arms, manufactured in this colony, have lately been brought here, and sold; others are making in different parts of the Colony, particularly a large quantity in Pawtucket."

<sup>3</sup>In the *Newport Mercury* of Feb. 14, 1775, appeared an item describing how a countryman fell into the dock while carrying a bag of tea. The item concluded thus: "Be cautious how you travel with this baneful article about you; for the salt water seems of late to attract it as a loadstone attracts iron."

## CHAPTER XV.

### RHODE ISLAND IN THE REVOLUTION.

The news of Lexington reached Providence on the evening of the battle. The people at once assembled, and the citizens and military officers held a meeting. Two expresses were sent to Lexington, who returned with the details of the event, and the troops in Providence and neighboring towns stood ready to march wherever they might be needed. A special session of the assembly was held on April 22, and it was voted that 1,500 men "be raised and embodied, properly armed and disciplined, to continue in this colony, as an army of observation, to repel any insult or violence that may be offered to the inhabitants. And also, if it be necessary for the safety and preservation of any of the colonies, to march out of this colony and join and co-operate with the forces of the neighboring colonies".<sup>1</sup> This resolution was publicly opposed and dissented from in the upper house by Governor Joseph Wanton, Deputy-Governor Darius Sessions, Thomas Wickes, and William Potter. The reasons for their action were thus expressed: "Because we are of the opinion that such a measure will be attended with the most fatal consequences to our charter privileges; involve the country in all the horrors of a civil war; and as we conceive, is an open violation of the oath of allegiance which we have severally taken, upon our admission into the respective offices we now hold in the colony." But their protest was disregarded, and at the June session a long and elaborate code of rules and regulations for this "army of observation" was drawn up and published.

Wanton's bold opposition to the measures of resistance adopted by the assembly resulted in heroic action. The annual election of 1775 had resulted in his re-election as governor; but when on May 3 the time came for his installation into the chair, he pleaded sickness, and instead addressed to the assembly a letter recommending calmness and deliberation. That body, however, was in no mood for conciliation,

<sup>1</sup>*R. I. C. R.* vii, 310.

and voted that the Deputy-Governor and his assistants be "forbidden to administer the oath of office to the said Joseph Wanton, Esq., unless in free and open General Assembly, according to the unvaried practice in this Colony, and with the consent of such Assembly; that until the said Joseph Wanton, Esq., shall have taken the oath of office, as aforesaid, it shall be unlawful for him to act as Governor of this Colony, in any case, whatever". The charges made against him were that he had made a protest reflecting on the action of the assembly, that he had neglected to issue a fast-day proclamation, that he had failed to qualify as Governor, and that he had refused to sign commissions for the recently appointed Rhode Island officers. Wanton attempted to justify his course, but his explanations were not satisfactory, and in October the office of Governor was declared vacant.<sup>1</sup> Nicholas Cooke, the patriot Deputy-Governor, was elected in his place.

In discussing the patriotic measures taken by our ancestors during the period just previous to the Revolution, we are apt to throw discredit on the many loyalists who, like Governor Wanton, believed the British acts to be oppressive, but saw only disaster in offering armed opposition. No just view of the Revolution can be obtained unless the great strength of this loyalist element is recognized. While the great majority of Americans stood firm against King and Parliament, a very large minority—perhaps one-third of the whole population of the country—were directly opposed to armed resistance. They belonged chiefly to the influential merchant class, men who were perhaps on a higher social and educational grade than their fellows, and who also feared a war that would utterly destroy their profitable commerce. Except in advising revolution, they often showed as patriotic a spirit as the most ardent sons of liberty. Governor Wanton, for instance, had told a British admiral who tried to show him the path of his duty: "Please to be informed that I do not receive instructions for the administration of my government from the King's Admiral stationed in America".<sup>2</sup> Many other of his utterances exhibit his absolutely independent attitude toward British despotism. But when the Revolution actually broke forth, the necessity of union required that all divisions of opinion should be subordinated to the public good. The patriots uprose and, through their preponderance in numbers and organized party strength, either forced or frightened the loyalists into silence.

<sup>1</sup>R. I. C. R. vii, 325, 332, 393.

<sup>2</sup>R. I. C. R. vii, 63.



In Rhode Island, as elsewhere in the country, this Tory element was a very important factor in the oncoming conflict. As they came to be a source of trouble and irritation to the patriots, they were given to understand that public acts or expressions favorable to England would not be tolerated. One of the early incidents of this phase of the Revolution was the threatened destruction of the village of East Greenwich by a mob of some hundreds of citizens, on account of treatment to which a resident of that place had been subjected for propagating principles unfriendly to American liberty.<sup>1</sup> At Newport, the loyalist party was especially predominant, and even after the beginning of the war, gained in numbers and strength. Governor Cooke explained this fact in a letter of July 8, 1775, to General Greene, from whom he received this reply: "I received your favor of the 8th of this instant from which I learn that the Tory party gains ground in Newport. May God defeat their wicked councils and scatter their collected force. It is very surprising that the once highly respected town of Newport for liberty, spirit and freedom, should be willing to bow down their necks with base submission to the galling yoke of tyranny".<sup>2</sup> This lack of patriotic sentiment was undoubtedly due to the presence of the enemy's vessels in Newport Harbor, as well as to social and commercial conditions. When the news of Lexington arrived in Newport in April, 1775, Captain Wallace, of the English man-of-war *Rose*, gave out the information that if Newport took part with Providence and New England, he would "lay the town in ashes". Yet in spite of this threat, two companies of patriots were raised to join the army before Boston.<sup>3</sup>

At the October session of the assembly, 1775, an act was passed for the punishment of traitors and those guilty of supplying the "ministerial army or navy" with provisions or arms, or of acting as pilots on the enemy's ships. The assembly was addressed on several later occasions by Tories who made petitions, declarations and confessions and sought absolution.<sup>4</sup> At the beginning of the Revolution they were fearless in their public utterances and acts, but as the struggle progressed they were held to strict accountability, and either relapsed into silence or fled the country, leaving their lands to be confiscated and sold. It is little wonder that Tories frequently reckoned upon an

<sup>1</sup>*Prov. Gazette*, Sept. 17, 1774.

<sup>2</sup>*R. I. H. S. Coll.* vi, 114.

<sup>3</sup>*Stiles's Diary*, i, 536, 540, 561, 562.

<sup>4</sup>*R. I. C. R.* vii, 388, 397, 413-14. See also J. N. Arnold, *Rebel Treatment of Tories during the Revolution* in *Narr. Hist. Reg.* vol. 3, 4.

early and disastrous overthrow of the patriot cause.<sup>1</sup> During the whole long struggle there were many periods when freedom seemed far away in the future.

During all of the remainder of the year 1775 military and naval preparations for defence of the colony and for participation in the expected war, progressed in every direction. The inception of the American navy was established in June by act of assembly, ordering the charter of two vessels, to be fitted out, armed and manned. These were named the *Washington* and the *Katy*, and Abraham Whipple, who had already proved his naval prowess,<sup>2</sup> was made "commander, with the rank and power of Commodore of both vessels".<sup>3</sup> In the same month, after Congress had adopted measures for establishing the army, Washington was made commander-in-chief, and one of the four major-generals appointed was the patriot son of Rhode Island, Nathanael Greene.

In May, 1775, when a body of American troops numbering about 16,000 were encamped on Jamaica Plains, near Boston, the Rhode Island army of observation, with the train of artillery and a siege battery, marched thither before June 1. General Gage's proclamation of martial law, on June 12, was followed on the 17th by the battle of Bunker Hill, and the country at large foresaw a long and exhausting conflict. Rhode Island immediately took steps to place herself on the strongest possible war footing. Governor Cooke had already acted upon the request of the general assembly, and on the 12th issued a proclamation, "commanding every man in the Colony, able to bear Arms, to equip himself with Arms and Ammunition, according to law". Committees were appointed to visit all the houses and take account of arms and ammunition, to be transmitted to Congress; all saltpetre and brimstone in the colony was ordered collected and forwarded to New York; the garrison at Fort George was discharged and the remaining guns taken away; a sentry post was stationed at Tower Hill in South Kingstown to give warning of the approach of a fleet;

<sup>1</sup>One of the Providence Tories wrote his friend in Plymouth as follows: "The Rebel Game, I take it, will be up this Summer, when I fancy they will lose at a d—d Rate". *Prov. Gazette*, June 21, 1777.

<sup>2</sup>Arnold, II, 350.

<sup>3</sup>*R. I. C. R.* vii, 347. Later in the year, in October, Congress fitted out several vessels, the whole fleet being put under the command of Esek Hopkins, a Rhode Island man. In December, Congress appointed a committee of one from each colony to organize and equip a navy, Stephen Hopkins serving as the Rhode Island member. (Foster's *Hopkins*, II, 234.) For a detailed account of the organization, equipment and service of this infant navy, see Field's *Esek Hopkins*.

minute men were enlisted and put under drill; the entrance to Providence harbor was fortified and a beacon erected on Prospect Hill; and six extra companies were ordered to join the army at Boston. Military activity prevailed on every hand.<sup>1</sup>

The situation in the fall of 1775 at Newport was critical. Captain Wallace's fleet had so annoyed commerce, seized provisions, and threatened the town, that many of the inhabitants had moved away. Early in October, the arrival of four more vessels caused a menacing demand to be made upon the Island and Conanicut for live stock. A force of 600 militia under Esek Hopkins was sent to Newport to repel the expected attack. Consternation and anxiety prevailed; many inhabitants fled; the streets were thronged with laden vehicles, and all business was paralyzed. But Wallace apparently had no intention of destroying a town that might be of vast future importance to his country, and withdrew on the 7th, anchoring his fleet in Bristol harbor. After demanding that four magistrates be sent off to his fleet, which was refused, he bombarded the place for over an hour, driving many of the inhabitants away and damaging many buildings. After forcing the people to supply him with forty sheep he withdrew.<sup>2</sup> An evacuation of Newport ensued. Nearly three-quarters of the inhabitants, taking as much personal property as they could carry, removed to the upper end of the Island or to other parts of the colony. The Tories now assumed a prominent part in governing the town, and continued as an obstacle to the progress of liberty until the arrival of the British forces, in December, 1776, placed them in complete control.<sup>3</sup>

Realizing the value of Newport as a military position, the assembly made great exertion to provide for its defence. By January, 1776, nearly 1,500 militia were encamped around the town, throwing up fortifications and preparing for an expected attack. These extraor-

<sup>1</sup>*R. I. C. R.* vii, 354-358. For an account of the erecting of fortifications around Providence, see Field's *Rev. Defences of R. I.* Difficulty was anticipated in raising the required troops in this colony, and in providing for home protection. Governor Cooke wrote Honorable James Warren, under date of June 26, 1775: "If our Assembly vote an additional number of troops, you are sensible it will take time to raise and equip them. . . . Besides the forces in the field we are fitting out two armed vessels for the protection of our trade. These exertions in our present distressed state have nearly exhausted the Colony". (*R. I. H. S. Coll.* vi, 107.)

<sup>2</sup>*Newport Mercury*, Oct. 9, 16, 1775; *Prov. Gazette*, Oct. 7, 14, 1775; and Stiles's *Diary*, i, 620-624. Field's *Esek Hopkins*, ch. ii, contains an account of the troubles at Newport at this period.

<sup>3</sup>The Tory element was so powerful in Newport that it was feared that they would triumph over the Whigs in the election of 1776. The *Mercury* urged absent patriots to send proxy votes. (*Newport Mercury*, April 8, 1776.)

dinary preparations in her own defence, combined with the drain upon her population and resources in aiding the regular provincial army, left the colony in a much exhausted condition. Frequent letters were sent to Congress, to General Washington and others, requesting assistance. On January 21, 1776, Governor Cooke addressed General Lee, at New York, requesting his aid in procuring a body of troops to be stationed in the colony. "I shall only add", he continued, "that unless the continent defends the colony, it must be abandoned". A communication similar in tone was at the same time addressed to the Rhode Island delegates in Congress.<sup>1</sup> But the necessity of concentrating the American troops where operations were actually in progress forbade the sending of reinforcements to Rhode Island until an attack was really made. Not disheartened by the inability to procure outside assistance, the colony continued in its active military preparations. The assembly, at the session of March, 1776, passed an act for the purchase of "two thousand stand of good firearms, with bayonets, iron ramrods and cartouch boxes", for the use of this colony.<sup>2</sup> Still another important legislative act was passed at that time for "encouraging the fixing out, and authorizing armed vessels, to defend the scacoast of America, and for erecting a court to try and condemn all vessels that shall be found infesting the same". This opened the way for the later operations of a great swarm of privateers, which were such an important factor in the war, and for the condemnation and sale of their prizes.

On May 4, 1776, the Rhode Island assembly passed an act of the greatest importance to the welfare of the colony and the nation. By a formal statute, and with but six dissenting votes, she absolutely

<sup>1</sup>*R. I. C. R.* vii, 424, 444-451, 471.

<sup>2</sup>*R. I. C. R.* vii, 477. At this point it is pertinent to notice the distribution of troops for the defense of the colony, as prescribed by a committee appointed by the assembly in March: "That one company be placed at Point Judith; one company at Boston Neck, between Narrow River and South Ferry; one company, at Quanset Point, in North Kingstown; one company, at Pojack Point, in North Kingstown; and Potowomut Neck, in Warwick; one company, at Warwick Neck; half a company, at Pawtuxet, in Cranston; one company, at Barrington; two companies, at Bristol; one company, at Bristol Ferry, on Rhode Island side; and one-third of said company, on Tiverton side; one company, in Tiverton and Little Compton, near Fogland Ferry; four companies and a half, on the Island of Jamestown; and the remainder of the troops, being seven companies, together also with the artillery company, at headquarters, on Rhode Island". The committee commend the fortification of Bristol Ferry and the erection of a fort "on the Tonomy Hill, on Rhode Island" (near Newport). These recommendations, with slight change, were adopted. (*R. I. C. R.* vii, 492.) For muster rolls of companies located at various points, consult Field's *Revolutionary Defences in Rhode Island*.

renounced her allegiance to Great Britain. For many months the sentiment of independence had been growing throughout the country. In the newspapers, in letters, and in public speeches can be traced the opinion of those who advised that the connection between the colonies and the mother country should be severed. For Rhode Island, however, was reserved the honor of being the first colonial legislature to renounce allegiance. It was further declared by the act, that all commissions, writs and other legal documents should henceforth be issued in the name of the colony and not of the King.<sup>1</sup> Two months later, on July 4, 1776, Congress responded to the public sentiment by adopting a solemn Declaration of Independence. The Rhode Island assembly, at the July session, immediately voted its formal approval of the instrument, made preparation for its reception with a discharge of thirteen cannon, and engaged to "support the said General Congress with our lives and fortunes". The records of the session were terminated with the prayer "God save the United States".

The act abjuring allegiance to Great Britain seems to have had a good effect upon the Tory element in Newport, as is indicated in a letter from Governor Cooke to Washington, May 6, 1776, in which he wrote: "I have the satisfaction to inform Your Excellency, that at a very full town meeting of the inhabitants of Newport, held last Monday, it was unanimously voted, to enter into the defense of the town; and last Thursday, a considerable body of them began work upon the fort to be erected upon Brenton's Point. This happy event, I have great hopes will make us a united people, and root up every seed of disaffection in the colony".<sup>2</sup> Little consideration, in fact, was now being shown to those who still adhered to the royal cause. The assembly, at the June session, passed an act providing that all persons suspected of disloyalty, should be requested to sign a declaration of their belief in the justice of the American cause, and that they would not in any manner aid the enemy. To this was added a law at the next session that no one should have the liberty of voting until he had subscribed to the test oath.<sup>3</sup>

<sup>1</sup>*R. I. C. R.* vii, 522. Staples, *R. I. in the Continental Congress*, p. 68.

<sup>2</sup>*R. I. C. R.* vii, 545. Rev. Ezra Stiles, under the date of May 3, thus comments on this meeting: "I understand that Admiral Hopkins, etc., assembled a town meeting at Newport last Monday to vote whether they would assist in defending the town and working on the lines, and in case of refusal or dissatisfaction with the works and fortifications carrying on there, then he would remove and carry off all the cannon and leave them defenseless. In a full meeting they voted to assist Wonderful! Where were the Tories?" (*Stiles's Diary*, ii, 12.)

<sup>3</sup>*R. I. C. R.* vii, 567, 589.

These restrictions, and especially the knowledge that they were liable to a fine of £100, made the Tories somewhat more chary of declaring their opinions. The arrest of suspected persons became a frequent occurrence. In July several who had refused to take the test oath were removed, at their own expense, to be placed under surveillance, and three others who refused to pay the cost of removal were sent to the Providence jail.<sup>1</sup> These stringent measures were generally sufficient to prevent overt acts of encouragement to the enemy.

The situation of Washington's army near New York, in August, 1776, was most critical, and a battle with overwhelming numbers of the enemy was imminent. In this emergency the Rhode Island assembly, on September 2, voted to send the whole of the State brigade to his relief. The departure of these troops left the State defenceless and the people filled with anxiety. A committee was appointed to visit Washington, explain the situation here and consult as to methods of defence. The committee took the strong ground that they apprehended Rhode Island and Newport would have to be abandoned.<sup>2</sup> But the situation was relieved for the time being by the arrival of a regiment from Massachusetts and the enlistment in this State of another regiment, to serve for three months. The evacuation of New York and Long Island late in August was a cause of renewed anxiety in both Rhode Island and Connecticut, which was deepened by the general military outlook as the year drew to a close.

Rhode Island, on account of the favorable situation of her chief town, was now destined to realize the calamities of war to her full share. Early in December, 1776, the enemy's fleet, consisting of seven ships of line, four frigates, and a large number of transports, with about 5,000 troops, entered the Bay, and on the 8th landed one regiment of troops at Newport, and the main body of the army in Middletown. After a night of pillage there the whole force marched into Newport, where they took possession in the King's name.<sup>3</sup> The landing of such an army created consternation throughout New England and prompt and active measures were adopted for the common defence. Governor Cooke quickly convened the assembly. A Council of War

<sup>1</sup>*R. I. C. R.* vii, 593-598. Stiles's *Diary*, ii, 22, and ii, 131, where he enumerates the Tories in Newport in December, 1776. For further lists of Tories, see *R. I. C. R.* ix, 139, and Newport MS. Town Records, 1779-1816, p. 8. The New York Public Library has among its "American Loyalist Papers", copies of Rhode Island claims taken from English records. (See its *Library Bulletin* for December, 1900.)

<sup>2</sup>*R. I. C. R.* vii, 606. See postscript of letter from Washington to Governor Cooke, Sept. 17, 1776, in *Idem*, p. 625.

<sup>3</sup>See *Prov. Gazette*, Dec. 14, 1776, Stiles's *Diary*, ii, 95, *R. I. C. R.* viii, 112.



was appointed, consisting of nine men, and a call was sent to Massachusetts, New Hampshire and Connecticut for military aid and for the appointment of committees to meet for consultation upon the emergent situation. The American troops, to the number of 600, left the Island, going into a camp at Tiverton and Bristol. The Convention of committees met the Rhode Island Council in Providence on the 25th, and it was resolved to concentrate an army of about 6,000 in this State, of which Rhode Island was to furnish an entire brigade. In accordance therewith the assembly voted that two regiments, consisting of seven hundred and fifty men each, and one regiment of artillery consisting of five companies of sixty men each, should be raised, "for the defense of this, and the other United States".<sup>1</sup>

The two regiments whose term had about expired were disbanded so that they might enlist in the new brigade. Washington disapproved of raising this brigade, fearing it would interfere with enlistments in the two battalions previously ordered from this state, and correspondence followed between him and Governor Cooke, the result of which was a withdrawal by the commander-in-chief of his objections.<sup>2</sup> The call upon neighboring states was promptly answered. Massachusetts sent two brigades, besides a train of artillery, and from Connecticut came three regiments and five companies, with a small troop of cavalry. All these were quartered at strategic points on both sides of the Bay, and thus "the State and the Island were two great and hostile camps".<sup>3</sup> The outlook for the country at the close of this eventful year was not bright, but the victory in New Jersey in the early part of January, 1777, revived the hopes of all patriots.

For nearly three years the British army occupied Newport and Rhode Island, causing constant anxiety and the whole train of evils always attendant upon war. American trade on the Island was

<sup>1</sup>*R. I. C. R.* vii, 58.

<sup>2</sup>Cowell, *Spirit of '76*, 127-133; *R. I. C. R.* viii, 114, 139-142. General Greene shared in this feeling, as expressed in a letter from him to Governor Cooke, written Feb. 1, 1777, in which he said: "If this great and national plan [of raising 88 battalions] is to be dispensed with by any particular State without the consent of the others, nothing but confusion and disorder will be the consequence. I cannot help thinking this an indirect breach of the Union, and have too much reason to believe it will be so considered by the other States". (*R. I. Hist. Soc. Coll.* vi, 184. See also his letter of Jan. 23, *R. I. C. R.* viii, 115.)

<sup>3</sup>Arnold, ii, 390. Stiles, in his *Diary*, ii, 141, under date of March 10, 1777, says: "There have been 5,000 troops around Narragansett Bay this winter. Now are 4,000 besides those returned last week. The State of Rhode Island has 2,500 militia on actual duty, 500 Rhode Island Continental Troops, and 500 Massachusetts militia, 500 Connecticut militia."

destroyed, property was plundered, and the remaining inhabitants who were not Tories, were maltreated. The British constructed fortifications early in the year at Fogland Ferry and further north at Butt's Hill, while the Americans made such defensive provisions as were suggested by the situation. Washington sent Generals Arnold and Spencer to the assistance of the army in Rhode Island and in January they assumed full charge of operations.

The attitude of the hostile forces on Rhode Island and the nearby shores was certain sooner or later to bring on a conflict. As a general war measure the military authorities considered such an event desirable. On April 16 Congress recommended that the Rhode Island assembly collect all their forces at once and attack the enemy on the Island. Massachusetts and Connecticut were advised to give all the aid in their power to this movement. Washington appointed General Spencer in command of the proposed expedition, which was to be kept as secret as possible. Under these recommendations and the action of the assembly, and after long delay,<sup>1</sup> an army of about 10,000 men was ready for the attack about the middle of October. The details of this expedition which, after so much preparation, resulted in failure, can best be told in the words of Dr. Ezra Stiles, to whose diary we so often turn for the narrative of Revolutionary events. In a letter to Henry Marchant, dated October 31, 1777, he says:

"I inquired both of officers and men the reasons of the failure, and yesterday I met General Spencer and crossed the ferry with him to Providence. The General is full of anticipation and anxiety on the occasion. From him and them I learn that it is pretty generally agreed that things were not in readiness for the descent till the 19th instant. By this time the army became impatient, and an accident then took place which spread a general discontent and irrecoverable uneasiness through the army. I think none of them impeach the General of want of courage, while some conceive so momentous an enterprise and the command and ordering of ten thousand men above his capacity. The incident I allude to is this. 'Tis said that some of the chaplains raised scruples of conscience in some of the general

<sup>1</sup>In March, 1777, the assembly, "being under great concern, that no attempt hath, as yet, been made against the enemy upon Rhode Island, which they consider as a great disgrace to New England in general, and to this State in particular", resolved that it be "strongly recommended to the Honorable Major General Spencer (if it be any way consistent with prudence), to make an attack upon the enemy at Rhode Island"; Governor Cooke, on April 14, 1777, wrote Washington, "When your orders arrived for innoculating our two Continental battalions, we had an expedition on foot to Rhode Island, which was to have been made in two or three days". (*R. I. C. R.* viii, 215. See also Stiles's *Diary*, ii, 148.)

officers against making the descent on the Lord's Day. The General told me that he was not influenced by those supposed scruples. However, the imagination of these disgusted the army, especially as the day was exceedingly fine, and all things otherwise in readiness. This raised a clamor in the army, and the uneasiness was increased by the series of bad weather and succeeding storm which to the conviction of all was a just reason of preventing the descent, nor has there been suitable weather from the 19th till this day which is the first truly fair since. Had the army remained till this evening they might probably have begun November with a successful descent. But the discontent taking place and coming to an uncontrollable height at the critical time, broke up the army. Difference of sentiment also arose among the general officers in their Councils of War. It would have been happy had the General been possessed of more precision, determination and decisiveness of conduct. Firmness would have diffused another spirit through the army''.<sup>1</sup>

The general assembly appointed a committee to investigate the causes of the failure of this expedition. A court of inquiry was accordingly held in Providence, November 15; its report exonerated General Spencer from blame and attributed the failure to delay on the part of Palmer's brigade in not having boats ready on the first night assigned for the attack, and to later unfavorable weather. In April of the following year, however, General Sullivan succeeded to the command in Rhode Island. In spite of this ineffectual attempt to bring on a battle, the British had not been entirely unmolested during the summer and fall of 1777. Frequent sorties and skirmishes resulted generally in minor American victories, and the daring and skillfully executed capture of the British General Prescott by Lieutenant-Colonel Barton, early in July, brought fame to the captor and hope to his cause.<sup>2</sup>

<sup>1</sup>From a copy of a hitherto unpublished letter in the R. I. Hist. Soc. Library. Dr. Stiles further says: "The Council of War consisted of General Spencer, Brigadier General Palmer, whose opinion was against a descent without 8 or 9,000 men; Brigadier General Douglas; Brigadier General Lovell; Brigadier General Cornell; Brigadier General Sherborn, Col. Commnd't, the last two firm for going on. The highest returns of the army were 8,333 about October 13th. The General told me they had boats sufficient to transport 5 or 6,000 at a time. The number of the King's troops on Rhode Island considered about 2,200, but General Spencer affirms them 3,500. On Monday last, our army began to break up and vanish, being dispirited and giving up the enterprise. The General, perceiving this, was eager to go on and not lose the opportunity. On Tuesday, the 28th, a Council of War determined to go on if the muster should furnish 6,500 men. The muster proved only 5,000, and then it was determined to give up the enterprise."

<sup>2</sup>For further details of this capture, see the chapter on military history. Original accounts are in *Prov. Gazette*, July 12, 1777; Cowell's *Spirit of '76*, p. 148, and Stiles's *Diary*, II, 182. See also Diman, *Capture of Prescott* (R. I.

The difficulty of keeping up the requisite supply of troops from this state and of properly providing for home defence increased rather than diminished. Desperate efforts were continued through the fall of 1777, and Washington wrote several letters on the subject, not only to Rhode Island, but to the other states. The soldiers were neither adequately paid nor supplied with clothing, and accordingly enlistments were difficult to procure. So serious was the matter that General Varnum wrote home, "The naked situation of the troops when observed parading for duty is sufficient to extort the tears of compassion from every human being". The winter of 1777-8 was a severe one upon the inhabitants of this state, as well as upon the troops in the field. In carrying out the taxation plan recommended by the Springfield convention, Rhode Island was to raise \$100,000. The assembly in December voted a tax of £48,000,<sup>1</sup> and towards the last of the same month resolved to raise a brigade of 1,500 men to serve one year from the following March. This was, in fact, a re-enlistment of the existing forces as far as they were willing to serve. At about the same time, the British fleet arrived in the Bay for winter quarters, causing renewed alarm. An attack upon Providence was anticipated, many inhabitants left the place, the Council of War met daily, the beacon was made ready, and the surrounding country notified to prepare for defence. As the winter advanced, destitution and suffering increased, particularly among the refugees from Newport, of whom there were over 100 in Providence alone. An appeal was made through the press for aid, and the response was prompt and generous.<sup>2</sup>

The year 1778 was the most important period of the Revolution in Rhode Island, as well as marking a crisis in the struggle throughout the country. The long standing antipathy of France toward England was about to be displayed in something more than expressions of friendliness and interest. After preliminary negotiations, two secret treaties were signed in Paris on February 6, one of them relating mainly to commercial relations, and the other for an active alliance between France and America contingent upon the beginning of war

*Hist. Tract*, no. 1); C. R. Williams, *Lives of Barton and Olney*; and C. J. Paul, *Part borne by Sergeant Paul in the capture of Prescott*. Barton's own original narrative of the capture is in *R. I. H. S. MSS*, iii, 13.

<sup>1</sup>The matter of the finances of the Revolution is neglected here, being treated in the Financial Chapter. During 1775 and 1776 Rhode Island had issued £150,000 in paper money. But the evil consequences arising from this system had led her, in December, 1776, to cease issuing bills and to rely upon loans and upon taxation.

<sup>2</sup>*Prov. Gazette*, Jan. 10, 1778.

*I Nathaniel Greene*  
do acknowledge the UNITED STATES of AMERICA, to be Free, Independent and Sovereign States, and declare that the people thereof owe no allegiance or obedience to George the Third, King of Great-Britain; and I renounce, refuse and abjure any allegiance or obedience to him; and I do ~~swear~~ that I will to the utmost of my power, support, maintain and defend the said United States, against the said King George the Third, his heirs and successors and his and their abettors, assistants and adherents, and will serve the said United States in the office of ~~Major~~ *General* which I now hold with fidelity, according to the best of my skill and understanding.

*Nath Greene My General*

*Sworn before me*

*the 28 May 1778*

*D. W. Shepherd*

between the French and the English. The consummation of these treaties caused great rejoicing throughout this country and was immensely influential upon her destiny.<sup>1</sup> The British cabinet now assumed a different manner towards America and proposed measures of conciliation; but they were indignantly rejected, as they would have left the country in a state of dependence. The patriots were resolved upon nothing short of freedom, and entered upon the campaign of 1778 with vigor and confidence.

The British were still strongly intrenched on the Island of Rhode Island. They annoyed passing vessels, plundered the surrounding country for provisions, and occasionally made sorties with more hostile intent. On May 25 the towns of Warren and Bristol were made to feel the heavy hand of the enemy. Both of these towns were visited by a force of about 600 men, who burned many buildings, pillaged stores, and capturing a number of prisoners, returned safely to Newport.<sup>2</sup> This raid demonstrated clearly the defenceless condition of the state. But public anxiety was somewhat allayed when the French fleet arrived off the Delaware capes early in July, and on the 29th twelve ships of the line and four frigates entered Narragansett Bay. On the following morning two of the French vessels sailed up to the north end of Conanicut, and the British garrison on that island withdrew to Newport, where the whole army was awaiting reinforcements. It was the British forces, instead of the Rhode Island patriots, who were now blockaded. The fear of the enemy was somewhat allayed. Plans were forming for a general attack upon Newport. Troops were assembling, and by the 1st of August Generals Greene and Glover had arrived to assist General Sullivan.

During the month of August, 1778, plans were made comprehending an attack by the French fleet on the harbor side and an expedition of land forces from the northern end of the Island. The preparations were carried out upon a large scale. Washington sent two Continental brigades, volunteers poured in from all New England, and Rhode Island, by extraordinary effort, contributed one-half of all the militia in the state. The whole army amounted to not less than 10,000 men. Sullivan was placed in chief command, aided by Marquis de Lafayette and General Greene. Since the British had less than 7,000 men, and

<sup>1</sup>"Joy sparkles in every eye at the important news we have from France via Boston, and for a demonstration of the same, 13 pieces of cannon are to be discharged for each of the United States, and 13 pieces of cannon for each of the European powers who confirm our independence".—Letter from William Allen to Theodore Foster, May 3, 1778. (*R. I. H. S. Coll.* vi, 213.)

<sup>2</sup>*Prov. Gazette*, May 30, 1778.



since the whole attack was so well considered and planned, success seemed certain. On August 9 the American army began to cross over from Tiverton to the northern end of the Island, in order to co-operate with the French fleet, which in the meanwhile had been cannonading the British batteries. Late in the day, however, Lord Howe, with thirty-six British sail, appeared in sight, and D'Estaing, the French admiral, desisted from the attack on Rhode Island to give him battle. A tremendous storm ensued which scattered both fleets. The Americans continued operations without the aid of the French, and on August 15 began their advance upon the British. While success was doubtful, confidence was restored by the sudden reappearance of the French fleet. But to the great consternation of the American officers, D'Estaing announced his intention of proceeding to Boston to refit. This he did, in spite of all remonstrances to the contrary. The army, through sickness and disaffection over the delay in proceedings, was now reduced to little more than 5,000 men. On August 28 a retreat was resolved upon, which, though conducted in a masterly manner, decided the fate of this unsuccessful and unfortunate expedition.<sup>1</sup>

The remainder of the year 1778 passed in comparative quiet in military affairs in Rhode Island. General Sullivan remained in command of the remnant of the American troops until the arrival of General Gates in April of the following year. As a result of the state's great exertions, many of the inhabitants were in great destitution, and the suffering continued through the ensuing winter. The prices of all kinds of provisions and other household necessities were abnormally high, and there was great scarcity of food stuff, as well as of money. The Continental paper currency was rapidly approaching worthlessness and the state treasury was empty. Under date of Providence, August 31, 1778, Paul Allen wrote Governor Bowen: "The universal cry for Bread is very alarming in our streets. I believe I speak within bounds when I tell you that there are a hundred families in the Town who have not a mouthful of bread in their houses, nor can they get it with their money. Whenever a bushel of corn is brought in from the country, the owner extorts from the poor purchaser eight dollars—and were he to ask twenty he would get it—to remedy which I made application this day to the Council of War to

<sup>1</sup>This expedition has been briefly treated, since it is fully discussed in the Military Chapter. Printed references to the battle may be found in the bibliography at the close of the last volume, and there is a bibliographical account of both printed and manuscript sources in Winsor, *Narr. and Crit. Hist.* vi, 592-603. The R. I. Hist. Soc'y has several orderly books kept during this expedition.

solicit that they would permit some vessels to go to the westward for flour,—but as they had laid an embargo on all vessels they think that this plan would be opening too wide for the trading part”.<sup>1</sup> The writer entreated the Governor to lay this matter before General Sullivan.

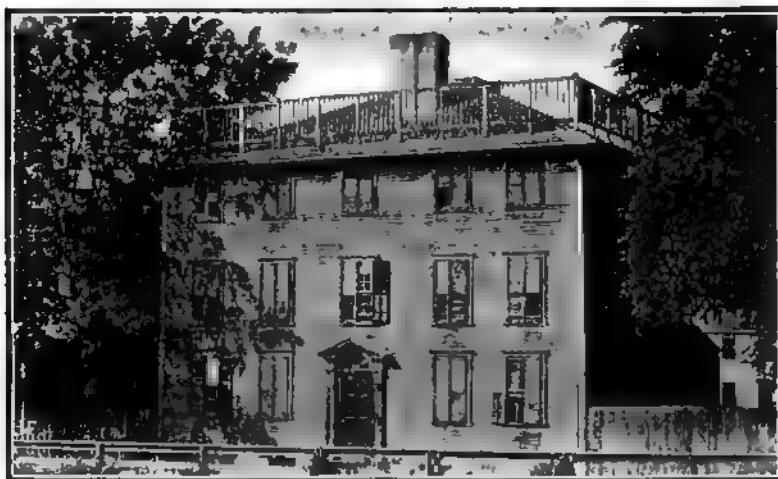
The scarcity of provisions finally became so great, and consequent suffering so widespread, that the general assembly took the subject into consideration in October and appointed a large committee, consisting of Rhode Island, Massachusetts and Connecticut men, “to take a regular list of all persons and their families, who have already come off, and shall hereafter come off, from Rhode Island; and particularly, of such as need assistance for support, and make returns to the general assembly or council of war, from time to time, of their names, and in what towns they are received”. This committee was authorized also to “solicit donations from the charitable inhabitants of our sister-states”, and distribute them among the destitute families. Town councils were requested to tell what number of persons they each could accommodate with dwelling places during the approaching winter.<sup>2</sup> Governor Greene wrote the Connecticut authorities, by direction of the assembly, requesting that the embargo existing there upon food articles, might be so far removed as to allow of their exportation to Rhode Island. To add to these burdens, the conduct of speculators, who were termed “forestallers”, in buying up the necessaries of life for private gain, was so flagrant that Congress issued a circular to all the states advising legislation to prevent such practices. Finally in February, 1779, Congress passed a resolution requesting both Connecticut and New York to repeal their embargo on bread stuffs for the benefit of Rhode Island, and a few weeks later the state was relieved from payment of \$50,000 of her portion of the Continental tax.

Meanwhile, and during the ensuing spring and summer months of 1779, the currency question assumed the greatest importance and presented difficulties little less distressing to the people than the scarcity and high prices of food. The rapid depreciation of the Continental currency finally forced Congress to resort to taxation. In May, 1779, they ordered a tax of \$45,000,000 to be assessed on the United States and paid into the treasury by the first day of January, 1780. The portion of this to be raised in Rhode Island was \$750,000. On June 1 General Greene wrote Ephraim Bowen, who was deputy

<sup>1</sup>*R. I. Hist. Soc. MSS.* vi, 113, in *R. I. H. S. Lib'y.*

<sup>2</sup>*R. I. C. R.* viii, 475.

quartermaster-general for Rhode Island: "I have received your favour of the 22d of May, and I am very sorry for your distress on account of cash, but how to remedy the evil, the Lord only knows". On June 3, Bowen replied: "It is astonishing to see the depreciation of the currency. Never did it fall so fast as at this time. A carpenter cannot be hired for less than 15 to 18 dollars per day, and all other labor in proportion". On the same date Governor Greene wrote to the Rhode Island delegates in Congress: "Considering the exhausted state of the Treasury that there is not £100 pounds of passable money in it, notwithstanding the inhabitants (who do not possess more than two-thirds of the State), have paid into the Treasury, by taxes, within



ELLERY HOUSE, NEWPORT.

The home of William Ellery, one of the signers of the Declaration of Independence.

six months (except about £16,000 which is not yet paid in,) £99,000 exclusive of the £90,000 more ordered by Congress, the greater part of which is likewise paid; that there being such an amazing demand for money, owing to the want of the balance of said account due from the United States, and being under the necessity of supplying the purchasing clothier with money to supply the State troops already raised, they being very bare of clothing, and the large sum wanted to recruit the brigade, together with the incident charges of Government, makes our burthen heavier than the inhabitants can bear".<sup>1</sup>

<sup>1</sup>R. I. H. S. Coll. vi, 234-236.

Little more is needed in addition to these quotations to show the desperate circumstances of this state in regard to its finances. The general situation finally led to the holding of a convention of delegates from the various Rhode Island towns. This meeting, called in response to an earnest address by Congress, assembled at East Greenwich on August 10. Governor Greene presided and various measures were adopted "for the purpose of carrying into effect the several interesting and important measures recommended by Congress in their late wise, sensible and animating address". Prices were fixed on staple articles, with penalties for their violation, and the several towns were "desired to regulate the prices of inn-holders, labour, teaming, manufactures, and other articles, in proportion to the rates of the necessities of life here stated". A resolution was adopted recommending that the assembly at their next session should raise by loan £100,000, which was the state's share for the supply of the Continental treasury.<sup>1</sup> In response, the assembly in September apportioned the amount to the towns, requiring the assessors to collect it from those best able to contribute.

Military events in Rhode Island, meanwhile, had not occupied so much of the public notice. The possibility of a British attack was always present, but it was evident that the enemy were using Newport chiefly as headquarters. For this reason, and on account of the necessity of concentrating the American troops elsewhere, the patriot army in Rhode Island had decreased by October, 1779, to about 1,500 men. But even this number made a severe drain upon her resources, entailing supply of provisions, quartering of troops and hospital service.<sup>2</sup>

The time finally came when the events of the war upon the British armies were such as to cause their evacuation of Rhode Island. The seat of greatest military activity had been transferred to the south, in the neighborhood of Savannah, and Sir Henry Clinton prepared to transfer his troops to that point. A fleet of transports arrived off Newport early in October, and the embarkation of stores, the plundering of inhabitants, and the burning of barracks soon showed that a general evacuation was in progress. When the day arrived for the actual embarkation, October 25, the inhabitants of the island were warned by the British to keep within doors during the day, on pain

<sup>1</sup>*Prov. Gazette*, August 14, 1779.

<sup>2</sup>The letters on the subject of supplies that passed between Quartermaster Bowen and General Green are in *R. I. H. S. Coll.* vol. vi, and several are listed in the *Calendar of the Greene Correspondence* in *Am. Philos. Soc. Proc.* xxxix, 163. Most of the papers connected with the Hospital establishment are in the R. I. H. S. Library.

I do solemnly swear that I will faithfully, truly and impartially execute the office of *Recorder* *General* to which I am appointed, and render a true account, when thereunto required, of all public monies by me received or expended, and of all stores or other effects to me intrusted, which belong to the UNITED STATES, and will, in all respects, discharge the trust reposed in me with justice and integrity, to the best of my skill and understanding.

*Richard Green 2 May*

*Sworn before me*

*The 23 of May 1798*

*G. W. Chapman*

of death. The troops marched from the town to Brenton's Point and were conveyed in boats to the ships. In the evening the fleet sailed and Rhode Island was free of the hated enemy.<sup>1</sup>

Newport was left only a shadow of her former importance. More than 500 dwellings had been destroyed; three-quarters of the inhabitants had fled; the commerce that was formerly so active and prosperous was ruined, and most of the merchants had begun business operations elsewhere. The British on leaving had taken away everything of value that was possible, including the valuable manuscript records of the town.<sup>2</sup> Nearly fifty Tories and their families departed with the British troops, and in the same month an "Act for the confiscating the estates of certain persons therein described",<sup>3</sup> was passed by the assembly. Early in November General Gates was called away to join the main army, and the command here developed upon Brigadier-General Cornell. The Council of War ordered the estates of the Tories who had left with the British fleet to be taken in possession by the sheriff of Newport.

Notwithstanding the deplorable situation on Rhode Island when the enemy departed, there was a tide of joy and congratulation over the event. Yet this sentiment was mixed with sympathy for the exposed and distressed condition of the people. The winter of 1779-80 was one of great severity, the cold being so intense that the entire bay was frozen over during six weeks. There was extreme and widespread suffering on Rhode Island and particularly in Newport. Provisions and fuel were very scarce and their prices astonishingly high. Wood sold for ten silver dollars a cord; corn was worth four dollars a bushel, and potatoes two dollars. A general famine threatened and was not much relieved until the warmer months of the next year. A petition was presented to the assembly by deputies from Newport, stating that the poverty of many of the inhabitants was such that it was impossible

<sup>1</sup>*Prov. Gazette*, Oct. 30, 1779.

<sup>2</sup>The town records were carried off by Walter Chaloner, the Tory sheriff of Newport, in a small vessel accompanying the Bristol fleet. Passing Hell Gate, the vessel struck and sank and remained under water several days. Governor Greene complained of their loss to General Washington, who used his endeavors to recover them. They were finally rescued and deposited in a store in New York. They remained here unopened until the Newport Town Council, hearing of their whereabouts, sent on a request (July 29, 1782) for their return. General Carleton replied that he did not know that they were in New York, and apologized for their detention. They were returned in December, 1782. (See Bull's *Memoirs of R. I.*; *R. I. H. S. Coll.* vi, 249, 251; *R. I. H. S. Publ.* i, 144; Newport MS. Town Records, 1779-1816, p. 59, 70; and Jackson's Antiquarian Map of Newport in the Redwood Library.)

<sup>3</sup>*R. I. C. R.* viii, 609.



to supply the town with wood, and praying the assembly to "grant a sufficient sum of money out of the general treasury, to supply the poor inhabitants of the said town with two hundred cords of wood".<sup>1</sup> In response to this appeal, 160 cords of wood were supplied to the town and £1,000 was appropriated to pay the cost. The quartering of the American troops, of whom about 1,000 still remained, was also a source of much anxiety and effort.

The spring of 1780 witnessed the American army in a most distressed condition. The surrender of Charleston early in May had been a serious blow. Disaffection and despair seemed to reign. The patience and resolution of Washington stood out in strong contrast. As a Rhode Island delegate wrote home to General Greene: "The embarrassments under which the commander-in-chief now labors, is of such complicated, distressing nature that they could not be borne by a less exalted soul."<sup>2</sup> In view of the conditions, renewed demands were made upon the states for troops and supplies. The Rhode Island assembly, at their June session, voted a regiment of 610 men and also provided for the sending of a quantity of supplies.

The future of the American cause assumed a brighter prospect when the news arrived that a French fleet with numerous reinforcements was expected. Early in July this fleet, consisting of seven ships of war, two frigates, and thirty-five transports, with about 6,000 men, appeared off Point Judith, and on the 11th entered Newport Harbor. Very different feelings did its arrival excite from those aroused by the British invasion of over three years before. On this occasion the town of Newport, though shorn of much of its former glory, was brightly illuminated, and imposing demonstrations of welcome were made.<sup>3</sup> The larger number of the French troops decided to pass the winter in Rhode Island, and again the state became a great camp.<sup>4</sup>

American liberty now seemed an assured fact. The states, realizing the value of a closer bond of union, entered into a new agreement on March 1, 1781, under the Articles of Confederation. With renewed spirit, the patriots entered upon the southern campaign of 1781—the last campaign of the war. Early in March the French fleet left

<sup>1</sup>*R. I. C. R.* viii, 637.

<sup>2</sup>*R. I. C. R.* ix, 113.

<sup>3</sup>*Prov. Gazette*, July 15, 1780. Scarcely had this force been in Newport a week, when the sudden appearance of several British sail threw all hands into consternation. They disappeared, however, as suddenly as they came. (See *R. I. H. S. Publ.* vii, 199-202.)

<sup>4</sup>The details of this French occupation of Rhode Island are given in Stone's *French Allies*, 198-415, and *Mag. Am. Hist.* iii, 393.

Newport to co-operate with the American forces in Virginia, and three months later the French army departed on the same mission. The ability of Washington and this effective foreign aid combined to give the patriot army a great victory. At Yorktown, on October 19, 1781, the English commander, Cornwallis, surrendered with 8,000 men. The British attempt to repress the colonies was forever lost. Realizing the hopelessness of continuing the contest, she yielded, and henceforth the chief matters of dispute were over the terms of the peace.

Through all the series of successes and reverses leading up to this grand victory, Rhode Island had taken her proper share. Her patriot son, Nathanael Greene, had brought fame to himself and his state by being appointed second in command to Washington. In most of the battles of the great struggle—at Red Bank, at Springfield, at Yorktown—her officers and soldiers had shown striking valor and courage. She had emerged from the war with her commerce and industry paralyzed, her property despoiled, and her people poverty-stricken and destitute. But all this misfortune and distress she considered as nothing when compared with the inestimable jewel of liberty which she had helped to win. Hopefully did she look forward to the dawn of a brighter day.

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## CHAPTER XVI.

### THE STRUGGLE FOR THE CONSTITUTION.

The defeat of Cornwallis at Yorktown in October, 1781, was practically the end of the Revolution. In the following year, a Whig ministry, realizing the hopelessness of continuing the conflict, and desirous of peace, came into control of affairs. A provisional treaty was signed, acknowledging the absolute independence of the United States, and favoring her ambassadors in most of its terms. It was not till September 3, 1783, however, that the definite treaty was made.

During this period and until the adoption of the constitution in 1789, the State was under the Congress which had been created in 1781 by the Articles of Confederation. The problems that beset this newly organized government were manifold and trying. The outlook in financial matters was especially gloomy. The Continental Congress,

despairing of obtaining sufficient income from its depreciated currency and from the requisitions on the states, had proposed, on February 3, 1781, that the states should allow Congress to levy an import duty of five per cent., the funds so raised to be used for the payment of the interest on the public debt. In little over a year twelve states had either accepted or shown favorable disposition to this reasonable proposal; but Rhode Island alone stood out.

The causes for Rhode Island's refusal to accede to this request formed the groundwork of her whole attitude upon the federal question for the next decade.<sup>1</sup> Since the beginning of English oppression, she had shown herself not only willing, but eager, to further all movements leading towards a more perfect union of the colonies. Just as she had thus been anxious to resist aggression upon her liberty and welfare, so now she was determined to resist any project whereby her privileges were to be curtailed by her sister states. She had signed the Articles of Confederation with the understanding that she should not be molested in the conducting of her own affairs, and she did not now intend that her power of levying taxes should be interfered with by any other jurisdiction.

In no place is Rhode Island's attitude on this point better shown than in the newspapers of the day. One writer, fearful of the future of Rhode Island commerce, contributed over the signature of "Dixit Senex," a long letter to the Providence Gazette, in which he asserted that "Congress may call upon us for money, but cannot prescribe to us methods of raising it; that is within our sovereignty, and lies solely in the power of our own legislature".<sup>2</sup> General Varnum, one of Rhode Island's delegates to Congress, then returned and through the medium of the public press, endeavored to obtain a favorable consideration of the proposed law. His argument was, of course, strongly a federal one. Dilating upon the necessity of union, asserting that the honor and independence of America depended upon some regular form of a public tax, and claiming that the right of collecting duties from vessels that sailed on the high seas was a national rather than a local one, he stated a doctrine that was rather too liberal for his provincial fellow-citizens to understand.

The opposition created was certainly notable. David Howell, pro-

<sup>1</sup>The general subject of R. I.'s attitude upon the constitutional questions from 1781 to 1790 has been treated in documentary form in Staples's *R. I. in the Continental Congress*, and as a historical monograph in Bates, *R. I. and the Formation of the Union*. See also the bibliography at the close of the last volume of this work.

<sup>2</sup>*Prov. Gazette*, Jan. 26, 1782.

fessor of philosophy at Brown University and a rising Providence lawyer, immediately answered with a series of letters abounding in local arguments and strongly illustrative of the states rights doctrine. Varnum had admitted that there was no express power in the Articles of Confederation to lay this impost, but said that there were "certain inherent latent powers in the supreme sovereignty which cannot be reduced to certain rules". The attributes of sovereignty angered Howell and he replied, "Why, for God's sake, are the powers of sovereignty said to be inherent, when they are the result only of compact and express stipulation? And why are they said to be latent or to lie hid, and as it were in ambush for the subject, and ready to pop out upon every occasion for his destruction?" While not denying that the national government needed the additional revenue of import duties, he claimed that the right of collecting them should reside in the separate states. "Although it is my opinion", he said, "that it is against the welfare of any commercial state to clog and embarrass trade with any restrictions or duties whatever, yet I most earnestly contend, that if they are absolutely necessary and unavoidable in our circumstances, which wants proof, it is the best policy of this state, and a matter of our absolute and expressly stipulated right, to lay them on, collect and dispose of them, in our own way, and solely for our own benefit and advantage".<sup>1</sup>

The Rhode Island assembly, in the meanwhile, although reproached by Varnum for not complying with the proposal of Congress, had steadily refused to discuss the matter. But now, forced by the concurrence of most of the other states to take one ground or another, she adopted views such as Howell had expressed, and henceforth acted with the greatest of consistence. In the election of May, 1782, Varnum was retired from his position and a new set of delegates elected, among whom was the champion of the impost opposition, David Howell. From the moment of his arrival began his controversy with the other members of Congress as to the merits, advisability, and constitutionality of the impost act. On October 10, 1782, Congress resolved to call upon Rhode Island and Georgia for their immediate and definite answer to the proposal. Howell and his associate wrote home: "Congress has demanded of you an immediate answer, in regard to the impost. Should it be brought on whilst the least doubt remains in regard to its propriety, it will be safest to reject it. To adopt it

<sup>1</sup>*Prov. Gazette*, Mar. 30, 1782. Varnum's articles over the signature of "A Citizen", and those of Howell over the signature of "A Farmer", are in the various issues of the *Providence Gazette* from March 2 to May 18, 1782.

partially and on condition, as some states have done, would discover an aversion to the measure mixed with fear of declaring real sentiments. It can afterwards be adopted should evidence preponderate in its favor; but should it once be adopted, the fatal die is cast—it is to us irrevocable”. The measure came before the lower house of the assembly on November 1, and was unanimously rejected, the following reasons being assigned:

“First, because it would be unequal in its operation, bearing hardest upon the commercial states, and so would press peculiarly hard on this state, which draws its chief support from commerce.

“Secondly, because it proposes to introduce into this and the other states, officers unknown and unaccountable to them, and so is against the constitution of this state.

“Thirdly, because by granting to Congress power to collect moneys from the commerce of these states, indefinitely as to time and quantity, for the expenditure of which they are not to be accountable to the states, they would become independent of their constituents, and so the proposed impost is repugnant to the liberty of the United States.”<sup>1</sup>

This action of Rhode Island effectually defeated the impost. Bitter enmity was occasioned in Congress against Howell for his part in the proceedings. The attempts to defame his character and to injure his influence at home, as his colleague asserted, “would have swerved from his purpose any one not endowed with an uncommon share of firmness”. But these attacks were all in vain, and the Rhode Island assembly officially expressed their approval of his action.

In this matter of the proposed impost, Rhode Island was not so much alone as her detractors were fond of asserting. Few of the states were unanimous in their approval of the measure. Georgia never acted upon it, and Virginia directly repealed her grant. A writer in a Philadelphia paper asserted that “The State of Rhode Island deserves to be hailed as the saviour of the liberties of America, and I yet hope that many of the other states who have unguardedly complied with this ill-judged recommendation of Congress, will, before it is too late, repeal the acts that have been passed to vest them with the power of levying an impost, as unequal in its operation as it is dangerous and impolitic in its consequences”.<sup>2</sup> Whatever may be said on the score of advisability or public necessity, so far as principle was concerned, Rhode Island was doubtless actuated by just and conscientious motives.<sup>3</sup> She fully believed that the proposed scheme

<sup>1</sup>Staples's *R. I. in the Continental Congress*, p. 394, 398, 400.

<sup>2</sup>*Prov. Gazette*, Dec. 28, 1782.

<sup>3</sup>F. G. Bates, in his admirable monograph on R. I. and the Im-

was in violation of the Articles of Confederation and an infringement upon her rights as a separate state. In arguing that the impost would raise prices in neighboring states, she evidently overrated its effect; but the constant struggle which she had had to preserve her territory from outside aggression, combined with the isolation and waywardness of her early history, were causes productive of greater jealousy of centralized power within her borders than in any other colony. She had taken her share in the Revolution, not because she desired to be one of a great confederacy, but because she felt compelled to resist British commercial oppression, not for the sake of colonial union, but for the preservation of her rights. In view of her past experience she was most chary of sharing any of her own inherent and established privileges with her neighbors.

But the tremendous debt with which the country was burdened, and the need of a stable revenue, caused Congress in 1783 to make another proposition for impost duties, somewhat modified, in that it was limited in its duration and was to be collected by state appointed officers. This plan was steadfastly opposed by the Rhode Island delegates, and was rejected by the assembly in June, 1784. Events in the commercial world, however, were occurring to cause a weakening in their opposition. In July, 1783, Parliament had restricted the trade between the British West Indies and America to British ships. The great quantities of English goods flooding the country and underselling domestic manufactures was drawing specie out of the country, while "the American merchant who took his goods to England to sell for specie was met by a heavy tariff".<sup>1</sup> The commercial party, thrown into consternation by these restrictions upon trade, realized that some retaliatory measure must be quickly taken. Though opposed to the previous propositions for imposts, they now were more willing that Congress should have the power of regulating import duties. So far had this feeling progressed that by two acts in 1785 the Rhode Island assembly granted to Congress the power to regulate foreign importation and also the interstate trade. In February, 1786, through the evident exertions of the mercantile class, the impost law was passed, granting to Congress the power to levy and collect, under stated

post of 1781 (*Am. Hist. Assoc. Rept.* for 1894, p. 351, and later embodied in his *R. I. and the Formation of the Union*), says that her "motives may be reduced to three: (1) A misunderstanding of the effects of an impost duty. (2) Anxiety respecting the disposal of western lands. (3) A jealousy of yielding to an outside authority any power over her internal affairs."

<sup>1</sup>Bates, *R. I. and the Formation of the Union*, p. 101.



limitations and conditions, certain duties on goods imported from foreign ports.<sup>1</sup>

The reflection of a few years, the realization that such a general matter as trade regulation must be governed by united action, and a greater confidence in the other states, had brought about a gradual change in Rhode Island. The constant discussion of subjects of a federal nature had given rise to differing parties—one favoring a closer union of the states, and the other opposing this idea. The commercial class, as has been shown, for various reasons desired a more centralized government. The agricultural class, partly from their inextinguishable antipathy against the merchants and partly from economic interests, desired no closer form of union than the confederated government under which they were then living. As in the earlier political controversy of a quarter of a century before, town and country became arrayed against each other, and local as well as national issues became hopelessly involved in the conflict.

The steady rise of the mercantile class in power and wealth, and the apparent tendency of yielding to Congress in all federal matters, created an opposition in the agricultural class that was to manifest itself in a manner disgraceful to the state and productive of discord and misery among the inhabitants. Economic motives combined with political causes to bring this manifestation closer to the minds of the people. Rhode Island, in common with the other colonies, had emerged from the Revolution burdened with a tremendous debt. Both the Continental and the colony currency had greatly depreciated, specie was being drained out of the country, and the debtor class was rapidly increasing. The farmers, who had incurred most of the debt in their dealings with the merchants, felt the pressure first. Laboring under taxes and debts which they could not pay, and expecting little relief from a Congress which their political creed bade them to entrust with as little power as possible, they came to the conclusion that paper money was the only solution of the difficulty.

It was a terribly mistaken notion. But it must not be inferred that Rhode Island was alone in this matter. In New Hampshire and Massachusetts discontent over financial conditions brought on mob violence, culminating in the latter state in the famous Shays rebellion of 1786. In the end only four of the thirteen States escaped the paper money craze.

<sup>1</sup>The action of the assembly is in *R. I. C. R.* x, 90, 130, and in the printed schedules for February, 1786, p. 37. Power over exports as well as imports was granted to Congress in March, 1786. (*R. I. C. R.* x, 180.)

In February, 1785, a petition praying for an issue of paper money was handed into the general assembly, but was rejected by a large majority. This defeat only nerved its advocates to renewed effort. During the ensuing year they increased their strength, adding to their ranks many of the anti-federalist faction. The complexion of the lower house gradually took on a paper money hue, and several towns expressly instructed their delegates to favor such issues. Warnings and remonstrances against such plans were not wanting. Both Providence and Newport, where the merchants realized that a depreciated currency would mean the decay of commerce and business, urged that the credit of the state should not be destroyed.<sup>1</sup> Their arguments availed for the time being, and the motion to issue paper money, introduced in the assembly in March, 1786, was defeated. The act granting to Congress the control of the imports was also passed at this session. This act, together with the growing financial discontent, created a powerful opposition. In the election of May, 1786, the party in power was completely overthrown. Governor Greene was displaced by John Collins, Deputy-Governor Bowen by Daniel Owen and over half of the assembly suffered a change.

The paper money party now in power lost no time in putting their principles in force. In May, 1786, the assembly passed an act emitting £100,000, to be loaned out on mortgage at four per cent. interest for seven years, to be paid within that period in seven annual installments. The act directed that these bills should be considered legal tender and should pass in all business transactions and contracts at par with specie. Most extraordinary measures were taken to insure its reception. If a creditor refused to receive the paper, the debtor could deposit the amount with the judge of the county court, who was to issue a citation for the creditor to appear and take the money. If the creditor did not appear within ten days, the debt was declared cancelled. In the following month another forcing act was passed, subjecting those who refused to receive the bills the same as specie to a fine of £100 and to the loss of franchise.<sup>2</sup> These arbitrary measures aroused great opposition.

Providence, Newport, Westerly and Bristol strenuously opposed the

<sup>1</sup>The town instructions to delegates are in Papers relating to the Adoption of the Constitution, no 47-63, a MS. volume in the state archives. The Providence and Newport remonstrances are in the *Prov. Gazette*, Mar. 4, 1786, and *R. I. H. S. MSS.* iii, 110. See also Bates, *R. I. and the Formation of the Union*, p. 120.

<sup>2</sup>The act is in the printed schedule for May, 1786, p. 13, and the additional clause in that for June, 1786, p. 8.



WASHINGTON SQUARE, NEWPORT, IN 1818, FROM AN OLD PAINTING.

act at its pasage. The Providence deputies entered a formal protest, asserting that the paper money would not be accepted in the other states, which would accordingly withhold supplies, that the bill was a stretch of power inconsistent with justice, and that it was "calculated only to accommodate certain persons, who, being deeply in debt, have now promoted this measure to serve their own private purposes". John Brown, the Providence merchant, writing just before the passage of the penalty act, said that the farmers generally refused to take the bills of credit in exchange for produce, and that in order to escape from the coming arbitrary order, "some are packing up their goods to carry out of the state, others to secure them, and some propose shutting up their stores."<sup>1</sup>

The situation became critical almost immediately. The townspeople refused to sell their merchandise for the paper, and in retaliation the farmers withheld their produce. Great enmity between the two classes was engendered. The paper money assembly met in special session in August, 1786, and passed further high-handed acts enforcing the circulation of the bills. They deprived of jury trial any one who was brought before the court charged with refusing the paper, and also ordered that the bills should be made a tender in payment of United States taxes. Thirteen members of the lower house dissented from the act on the ground that it was in violation of the Articles of Confederation, that through taking away the privilege of jury trial it was an invasion of civil and constitutional rights, and that it was "destructive of credit, on which commerce depends, and will involve a useful part of the community, the tradesmen and the mechanics, who rely on trade and commerce for their subsistence, in ruin; and will inevitably lessen the value of real estates; and in the end will involve the farmer in poverty and misery".<sup>2</sup>

The progress of the paper money party had about reached its height. The scenes that ensued during the next few months were amusing as well as extraordinary. A debtor would obtain a loan of some of this paper, and then start forth in search of those whom he owed. The hapless creditor, after he had dodged his pursuer several times, would pick up his weekly paper, and find that his debtor had deposited with some county judge the whole amount of his debt in these worthless bills. A crisis was bound to arrive. It was through the agency of the highest court in the state that measures were taken leading to a

<sup>1</sup>*Prov. Gazette*, May 13, July 13, July 8, 1786.

<sup>2</sup>The act is in *R. I. C. R.* x, 212, and the protest, which was rejected, in the *Prov. Gazette*, Sept. 2, 1786.

repression of these disgraceful conditions. A certain John Trevett had brought a charge against John Weeden, a Newport butcher, for refusing to take paper money at par with specie. The case came before the Superior Court in September, 1786. Weeden, through his counsel, General Varnum and Henry Marchant, pleaded that the court should not take cognizance of Trevett's complaint for the following reasons: "Because it appears by the act of the General Assembly, whereon said information is founded, that the said act hath expired, and hath no force: Also for that by the said act the matters of complaint are made triable before special courts, incontrollable by the supreme judiciary court of the state: and also that the court is not, by said act, authorized and empowered to empanel a jury to try the facts charged in the information: and so the same is unconstitutional and void."

Varnum made the chief plea for the defendant in a speech that was, to quote the newspapers of the day, "learned, accurate, judicious and masterly". He stated that the wording of the penalty act gave the possible construction that the penalties prescribed were to be valid for only ten days, and therefore the act, through expiration, was not cognizable by the present court. He asserted that the legislature, by allowing paper money cases to come before lower courts without trial and without appeal to the Superior Court, had subverted the constitution. "If Courts existed uncontrollable by the Supreme Judiciary, then there was an end to constitutional liberty." Trial by jury, he said, was a birthright that could be alienated only by a change in the constitution. He closed his speech of nearly three hours' duration with an argument clearly showing the distinction between the legislative and judicial power, and pleading for the independence of the latter. The Court rendered its decision "that the information was not cognizable before them". Judge Howell declared the penalty laws to be unconstitutional, Judge Tillinghast found the absence of jury trial "repugnant", and Judge Hazard, although a prominent member of the paper money party, also voted against taking cognizance. Paul Mumford, the chief justice, declared the judgment of the Court, without having to give his opinion.<sup>1</sup>

<sup>1</sup>The documentary sources for the Trevett-Weeden case are in Varnum's pamphlet, *The Case Trevett against Weeden; R. I. Acts and Resolves*, Oct., 2d session, 1786, p. 5; the *Prov. Gazette* for September 30, Oct. 7, 1786; the *U. S. Chronicle* Oct. 5, 1786; and the *Newport Mercury* for Oct. 2, 1786. Modern constitutional treatment is in Cooley's *Constitutional Limitations*, p. 194, Coxe's *Essay on judicial powers and unconstitutional legislation*, p. 234. See also *Book Notes*, vi, 42, xi, 62, where the editor clearly shows that the Court

The Court's decision was received by the towns with joy and congratulation. The dread of penalties and informations was dispelled. Shops were opened and markets supplied with provisions. The paper currency obtained a more extensive circulation, since every one found himself at liberty to receive or refuse it. The legislature, however, angered by the refusal of the Court to support their arbitrary acts, summoned the justices before them. Led by David Howell, three of the justices appeared at the session of October, 1786, to answer for their conduct. They lost no time in telling the assembly that the penal acts were despotic and unconstitutional, and that as the Supreme Judiciary of the state they were not accountable to the legislature, or any other body on earth, for their judgments. The assembly, although angry enough to remove them from office, could find no ground for impeachment and therefore discharged them from further attendance.<sup>1</sup> The penalties laws through the judicial decision had become a "dead letter", and in fact were repealed at the December session. Defeated in its attempt to assume domination over the courts, the legislature now proceeded to make the paper currency as useful as possible. They passed an act ordering that one-fourth of all debts against the state should be paid in paper. If creditors refused to accept this, that part of the debt was immediately cancelled.<sup>2</sup> This law which practically defrauded the creditors of the state of one-fourth of their due showed more than any previous acts the dishonest motives of the promoters of this scheme. Even more despotic were certain measures passed in the session of March, 1787, such as the removal of the postmaster at Newport for some alleged insult to the Governor, the repealing of the Newport city charter, and the refusal to aid Massachusetts in her attempt to arrest certain leaders in the Shays Rebellion who had fled to Rhode Island.

Thus closed perhaps the most disgraceful political year in Rhode Island's annals. The party in power had overridden the constitution, violated the natural rights of the people, destroyed trade and industry, and brought disgrace upon the whole state. The townspeople, unable to stem the tide, occasionally ejaculated their disgust of proceedings in

did not declare the action of the assembly unconstitutional, but merely asserted its non-jurisdiction over the case.

<sup>1</sup>See *R. I. C. R.* x, 220; Varnum's *Trevett vs. Weeden*; *Prov. Gazette*, Nov. 11, 1786; and *U. S. Chronicle*, Nov. 9, 1786. See also a pamphlet by John Winslow, *The Trial of the R. I. Judges*.

<sup>2</sup>This repudiation was completed in March, 1789, by an act requiring all outstanding notes against the state not already forfeited by various acts passed in 1788 to be presented within two months for redemption in paper currency.



the public print. One signing himself "A Friend to Mankind", wrote in the Providence Gazette that the assembly, predetermined against the voice of reason, "still persisted in their determination, of forcing their favorite coin down the throats of those who are not willing to receive it in payment for property, when the value is not equal to more than an eighth. Strange infatuation! and how much more incredible, when the very men who have ever argued and voted for such an unjust measure actually discharged their tavern-expenses, at the close of their last session at Little Rest, at the rate of eight for one!"<sup>1</sup> The situation was indeed critical. The character of the state was assailed in the newspapers and magazines throughout the whole country. A contributor to the Connecticut Magazine expressed his feelings on the subject by the following poem, which he entitled "The Anarchiad":

"Hail, realm of rogues, renown'd for fraud and guile,  
All hail, ye knav'ries of yon little isle;  
There prowls the rascal clothed with legal power,  
To snare the orphan and the poor devour;  
The crafty knave his creditor besets,  
And advertising paper pays his debts;  
Bankrupts their creditors with rage pursue,  
No stop—no mercy from the debtor crew.  
Armed with new tests, the licensed villain bold  
Presents his bills and robs them of their gold;  
New paper struck, new tests, new tenders made,  
Insult mankind, and help the thriving trade.  
Each weekly print new list of cheats proclaims,  
Proud to enroll their knav'ries and their names;  
The wiser race, the snares of law to shun,  
Like Lot from Sodom, from Rhode Island run".<sup>2</sup>

Such views as have been given were not always the carplings of jealous and prejudiced critics, but often came from disinterested and impartial observers. The learned Frenchman, Brissot de Warville, who travelled through America in 1788, visited Rhode Island in October of that year. The description he leaves to us is anything but complimentary and clearly shows the evil effects of the previous two years' administration. "The silence which reigns in other American

<sup>1</sup>*Prov. Gazette*, March 31, 1787.

<sup>2</sup>*Prov. Gazette*, April 14, 1787. For similar views, see Pres. Manning's letters in Guild, *Brown University and Manning*; *Amer. Museum*, i, 290, iv, 320; Gilpin, *Writings of Madison*, i, 286, and ii, 629, and the writings of nearly all the prominent federalists of the day. Rhode Island's own delegates wrote: "We need not inform you how it wounds our feelings to hear and see the proceedings of our legislature burlesqued and ridiculed, and to find that congress and all men of sober reflection, reprobate in the strongest terms the principles which actuate our administration of government". (Staples, *R. I. in the Continental Congress*, p. 566.)

towns on Sunday, reigns at Providence even on Monday. Everything here announces the decline of business. Few vessels are to be seen in the port. . . . Whether it be from prejudice or reality, I seemed to perceive everywhere the silence of death, the effect of paper money. I seemed to see, in every face, the air of a Jew, the result of a traffic founded on fraud and finesse. I seemed to see, likewise, in every countenance, the effects of the contempt which the other states bear to this, and the consciousness of meriting that contempt. The paper money at this time was at a discount of ten to one".<sup>1</sup> He gives an even more dismal account of Newport, whose unsightliness he contrasts with the charming description given a few years before by St. John de Crevecoeur.

The paper money party was too dominant, however, to be quickly displaced. They remained in office two more years, only furthering their policy by completing the work of repudiation. Their power, however, was weakening, and at each session the number of those who favored a repeal of the forcing acts gradually gained in strength. In October, 1789, the law which had made the paper money accepted on a par with specie was repealed, and debtors were allowed to substitute property as a tender for debt. By the same act the depreciation of paper was fixed at fifteen for one.

The good sense of the people had been tardy in asserting itself. The paper money party had run a long race, bringing disgrace and misery upon their own state and allowing the strength of party passion to work for the rejection of many valuable measures of national concern. As an authority on the subject says: "However just her motives, however steadfast her hold on principle, still the work of the year 1786 so lowered her in the eyes of her neighbors that only bad and perverse motives could be seen in her acts respecting the federal constitution. It is owing to prejudice and distrust it aroused against the state and to its influence in preparing the way for strife over the constitution, that this episode has its vital connection with the relations of Rhode Island to the union."<sup>2</sup>

Toward the close of the paper money period Rhode Island's relations with Congress were rapidly becoming critical. The controversies regarding the impost had been succeeded by several months of apathy toward national concerns. But the attention of Rhode Island, as well as of the whole country, was soon to be called to new plans for the establishing of a more supreme central authority. The system under

<sup>1</sup>*New Travels in the United States*, p. 143.

<sup>2</sup>*Bates, Rhode Island and the Formation of the Union*, p. 148.

the articles of confederation was decidedly inefficient. There was seldom a quorum in Congress, the revenue could not be collected, states were encroaching upon each other's rights in violation of federal agreement, and commerce, business and public credit were at low ebb. Throughout the whole country the sentiment was growing that the constitution required some radical amendment or the union would fall. In January, 1786, Virginia finally took the lead by proposing that a conference of delegates be held in September at Annapolis for the purpose of regulating trade. In June the Rhode Island assembly appointed delegates, who, however, did not arrive at the convention in time.<sup>1</sup> But five states were represented, and the convention adjourned, recommending that another convention should be held, "to devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate".

Congress, thus urged to make some movement toward a change, resolved, in February, 1787, that a convention be held in May at Philadelphia, "for the sole and express purpose of revising the Articles of Confederation". The matter came before the Rhode Island assembly in March. The paper money, or anti-federal party, was in power, and the proposition to send delegates was rejected in the house by a majority of twenty-three. Since nearly all of the states had already chosen representatives, Rhode Island's decided opposition aroused a storm of disapproval. James Madison wrote: "Rhode Island alone refuses her concurrence. A majority of more than twenty in the legislature of that state has refused to follow the general example. Being conscious of the wickedness of the measures they are pursuing, they are afraid of everything that may become a control on them"; and again, "Rhode Island has negatived a motion for appointing deputies to the Convention, by a majority of twenty-two votes. Nothing can exceed the wickedness and folly which continue to rule there. All sense of character, as well as of right is obliterated. Paper money is still their idol, though it is debased to eight for one".<sup>2</sup> Many were the imprecations and threats hurled at her, it even being suggested that her territory be appropriated by the surrounding states. The question of sending delegates again came up at the May session. Although the power of the paper money party was somewhat diminished, the motion failed through the non-concurrence of the upper

<sup>1</sup>*R. I. C. R.* x, 203. Rhode Island, in this case, was certainly more active than some of the states, as Connecticut, Maryland, South Carolina and Georgia did not even appoint delegates.

<sup>2</sup>*Letters and Writings of Madison*, i, 286; Gilpin, *Madison Papers*, ii, 630, dated Apr. 1, and Apr. 2, 1787.

house. In June, when the subject was renewed, the motion passed the senate, but was rejected in the house by a majority of seventeen. Thus both houses, at one time or another, had favored the proposition. It is unfortunate that their opinion could not have been expressed unanimously.

The continued obstinacy of Rhode Island in this matter caused the state to be visited with much opprobrium. Even the kindly and judicious Washington in a letter of July 1, 1787, remarked: "Rhode Island, from our last accounts, still perseveres in that impolitic, unjust, and one might add without much impropriety, scandalous conduct, which seems to have marked all her public councils of late".<sup>1</sup> Throughout the whole country, especially in the strongly federal states, was uttered hostile criticism. The townspeople of the state, apparently more enlightened than their agricultural brethren, resented these charges and desired to place themselves on record as disapproving of the legislative action. Several of the Providence merchants, on May 11, 1787, addressed a letter to the chairman of the general convention, asserting that "It is the general opinion here, and we believe of the well informed throughout this state, that full power for the regulation of the commerce of the United States, both foreign and domestic, ought to be vested in the national council. And that effectual arrangements should also be made for giving operation to the present powers of Congress in their requisitions upon the States for national purposes".<sup>2</sup>

The party in power rejected the recommendations of Congress for various reasons—jealousy of outside interference, a mistaken idea of constitutional liberty, and a desire for a continuance of personal gain under the present administration. General Varnum, in a letter to General Washington, dated at Newport, June 18, 1787, so clearly gives the federal view of the case that a liberal extract is more valuable than any amount of comment. "Permit me, sir", he says, "to observe that the measures of our present legislature do not exhibit the real character of the state. They are equally reprobated by the whole mercantile body and by most of the respectable farmers and mechanics. The majority of the administration is composed of a licentious number of men, destitute of education, and many of them, void of principle. From anarchy and confusion they derive their temporary consequence, and this they endeavor to prolong by debauching the minds of the common people, whose attention is wholly directed

<sup>1</sup>Ford's *Writings of Washington*, xi, 159.

<sup>2</sup>*R. I. H. S. Publ.* 11, 169.

to the abolition of debts both public and private. With these are associated the disaffected of every description, particularly those who were unfriendly during the war. Their paper money system, founded in oppression and fraud, they are determined to support at every hazard. And rather than relinquish their favorite pursuit, they trample upon the most sacred obligations. As a proof of this, they refused to comply with a requisition of Congress for repealing all laws repugnant to the treaty of peace with Great Britain, and urged as their principal reason, that it would be calling in question the propriety of their former measures.

“These evils may be attributed, partly to the extreme freedom of our own Constitution, and partly to the want of energy in the federal union; And it is greatly to be apprehended that they cannot speedily be removed but by uncommon and very serious exertions. It is fortunate, however, that the wealth and resources of this State are chiefly in possession of the well affected, and that they are entirely devoted to the public good”.<sup>1</sup>

Not until September 15, 1787, did Rhode Island officially explain her reasons for refusing to send delegates. Governor Collins then drew up a letter to the President of Congress, asserting “that we were actuated by that great principle which hath ever been the characteristic of this state—the love of true constitutional liberty, and the fear we have of making innovations on the rights and liberties of the citizens at large”. He said that the real and technical reason was that such delegates could be appointed only by the people of the state at large, and not by the legislature. The federal minority in the assembly thought that these reasons were weak and insufficient, and nine of the deputies immediately entered a written protest. They said that as a colony and as a state Rhode Island had never up to this time deemed it inconsistent with “the rights and liberties of the citizens” to concur in appointing delegates to any convention proposed for the general benefit; and that both the Articles of Confederation and the state laws vested supreme power of sending delegates in the legislature. “As it would have been our highest honor and interest to have complied with the tender invitations of our sister states, and of Congress, so our non-compliance hath been our highest imprudence; and therefore it would have been more consistent with our honor and dignity to have lamented our mistake, and decently apologized for our

<sup>1</sup>*R. I. H. S. Publ*, II, 168.

errors, than to have endeavored to support them on ill-founded reasons, and indefensible principles".<sup>1</sup>

The Federal Convention, in the meanwhile, was deliberating at Philadelphia on matters of the highest moment to the nation. The general sentiment was in favor of having a new, thorough, and powerful form of government. The Articles of Confederation had proved too weak. The states could not be restrained, nor the revenue guaranteed, nor commerce protected, nor the orders of Congress be made effective. Although it was agreed that a new Constitution was necessary, the preparation of the detailed provisions of such an instrument was sure to be attended with much disagreement. There were many discordant elements. The powers to be retained by the states, commercial restrictions, slavery matters, state representation, were but a few of the questions that beset the delegates. But finally, on September 17, 1787, the Constitution was completed and sent to Congress for approval. On September 28 Congress unanimously resolved that it should be transmitted to the state legislatures, which in turn should summon state conventions to pass the final vote. When nine states had ratified the instrument, it was to take effect for those nine.

The matter soon came before the Rhode Island assembly at the session of October, 1787. As a state she had had no voice in the framing of the Constitution, no delegate to the Convention, and no representative in the Congress that approved of it and sent it out to the states. She naturally could not take such interest in the new instrument as was felt by the other states. Instead of calling a convention, she merely ordered that a thousand copies of the Constitution should be printed and distributed among the freemen. In February, 1788, for fear, as one writer expressed it, lest "certain learned men, called lawyers and divines, might deceive them by sophistry and fair speeches",<sup>2</sup> the assembly again refused to call a convention, and ordered that the proposed Constitution should be submitted to town meetings. Since the instrument itself provided only for ratification in state convention, such proceedings by the towns would have been entirely nugatory. This fact the federalists of the state well understood. They also realized that in case the Constitution was defeated by a full vote at the polls, it would clearly indicate the opinion of the state upon the subject and might indefinitely delay the holding of a convention. Accordingly in the two

<sup>1</sup>The address and the protest are in *R. I. C. R.* x, 258-260.

<sup>2</sup>*Prov. Gazette*, Mar. 15, 1788. The legislative action is in *R. I. C. R.* x, 271.



large towns they abstained from voting altogether. Newport cast but one vote in favor of the Constitution, and Providence cast not a single vote in its favor and but one against. When the total came to be added up, it was found that 2,708 had voted against, 237 for, and that about 3,000 had not voted at all.<sup>1</sup>

The federalists now bent their efforts toward inducing the general assembly to call a convention. They said that the state would have to accept the Constitution anyway in the end, and that if it was accepted now, she would have the privilege of proposing amendments. At the session of March, 1788, the motion for a convention was renewed. It was defeated by a majority of twenty-seven, less by three than the vote of the previous session. The Rhode Island legislature had clearly shown its opposition to the Constitution. No other state in the country had refused to call a convention.

In the meantime the Constitution had been making fair headway in the other states. Delaware had ratified the instrument in December, 1787, and Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, and South Carolina followed in quick succession. In some of these states, notably Massachusetts and South Carolina, much opposition was encountered; but able leaders and active measures soon vanquished the doubters. On June 21, 1788, the union was completed by the ratification of New Hampshire. Final success was assured, as it was only a question of time when the other states would accept the new government.

The news of New Hampshire's ratification was received with great joy throughout all the federal towns in Rhode Island. The citizens of Providence arranged for an elaborate demonstration to be celebrated on the approaching Fourth of July. Invitations were sent to both town and country. On the auspicious day an oration was delivered in the First Baptist meeting-house by Enos Hitchcock, and the joy of the townspeople was again denoted by the discharge of cannon and the pealing of bells. But the crowning feature of the day was a feast, conducted in the open air and spread on a table upwards of a thousand feet in length. Over 5,000 persons partook of the entertainment. The only unpleasant feature of the occasion was a riot threatened by the ardent party spirit that existed. Several of the people in the outlying towns conceived the idea that the entertainment was intended as a public insult upon the legislative authority of the state, which had already shown its opposition to the Constitution. Headed

<sup>1</sup>The totals and also all the names of the freemen who voted are given in Staples, *R. I. and the Continental Congress*, p. 590-606.

by a few rash leaders, they took the unwise method of attempting to break up the said entertainment by force. The Providence committee, hearing that a band of armed men were lurking in the woods nearby, immediately proceeded to investigate. The two contending factions met, and after a short parley the town agreed, for the sake of peace, to make the celebration in honor of Independence Day and not of the ratification of the Constitution. The toasts were somewhat altered, but the spirit of the demonstration suffered no change. During the next few days both parties resorted to the newspapers to state their views. The country rioters sought to excuse their hasty action, while the townspeople found much food for reflection on the "decadence of the times".<sup>1</sup> Within a few weeks the ratification of the Constitution by the states of Virginia and New York again gave rise to federal demonstrations. In the latter instance, eleven flags were set up on one side of the Weybosset Bridge representing the eleven adopting states. On the opposite side was the standard of North Carolina three-quarters raised and with the motto, "It will rise". In a place by itself, disconsolate and alone, stood a bare pole canted to an angle of forty-five degrees and labelled, "Rhode Island in hopes".<sup>2</sup> There was surely an ardent and powerful sentiment in Rhode Island in favor of the Constitution, but it was soon found that many anxious months were to be passed through before the anti-federal majority, with their mistaken ideas upon constitutional liberty, could be induced to vote for a change.

Throughout the whole winter the federalists in the state were attempting to strengthen their party, but with little success. The motions for a convention, though fruitless, were constant. In October, 1788, the motion was rejected in the house by a vote of 40 to 14, in December by a vote of 34 to 12, and in March, 1789, by a vote of 37 to 19.<sup>3</sup> The gain was so slight as to be imperceptible. The election of 1788 came and went, and there was still little change in the strength of the parties. Conditions, however, were somewhat altered. As a Providence petition, handed in at the May session, stated the matter: "We have not an alliance or treaty of commerce with any nation upon earth, we are utterly unable to defend ourselves against an enemy, we have no rational prospect of protection and defence but from the United States of America."<sup>4</sup> In spite of the melancholy picture, the motion

<sup>1</sup>See *Prov. Gazette*, July 5, 12, 1788; *U. S. Chronicle*, July 3, 10, 1788.

<sup>2</sup>*Prov. Gazette*, Aug. 2, 1778; *U. S. Chronicle*, July 31, 1788.

<sup>3</sup>Staples, *R. I. in the Continental Congress*, p. 618.

<sup>4</sup>Staples, *R. I. in the Continental Congress*, p. 619.

for a convention in June met with its sixth defeat by a vote of 32 to 22.

By the passage of an impost law in July, 1789, Congress for the first time enacted legislation hostile to Rhode Island's welfare. In exporting goods into neighboring states she now had to pay the same duty as foreign governments. The towns were immediately thrown into consternation. Both Providence and Newport petitioned for relief, praying that they should not be compelled to suffer for the reprehensible conduct of others.<sup>1</sup> At the session of September, 1789, the anti-federal party in power for the first time showed signs of wavering. They enacted that the opinion of the people should be given upon the Constitution by the useless method of town meetings, framed an impost act in accordance with the Congress bill, and drew up a letter for the President of Congress. This address, though conceived in a more narrow and local spirit than many in the state would have wished, was the best exposition yet of their views. After assurances of friendliness to the other states, they observed: "Our not having added to or adopted the new system of government formed and adopted by most of our sister states, we doubt not has given uneasiness to them. That we have not seen our way clear to do it consistent with our idea of the principles upon which we all embarked together, has also given pain to us; we have not doubted but we might thereby avoid present difficulties, but we have apprehended future mischief. The people of this state from its first settlement have been accustomed and strongly attached to a democratical form of government. They have viewed in the new Constitution an approach, though perhaps but small, towards that form of government from which we have lately dissolved our connection at so much hazard of expense of life and treasure. . . . They have apprehended danger by way of precedent. Can it be thought strange then, that with these impressions, they should wait to see the proposed system organized and in operation, to see what further checks and securities would be agreed to, etc., established by way of amendments, before they would adopt it as a Constitution of government for themselves and their posterity? These amendments we believe have already afforded some relief and satisfaction to the minds of the people of this state. And we earnestly look for the time when they may with clearness and safety, be again united with their sister states under a constitution and form of government so well

<sup>1</sup>Staples, *R. I. in the Continental Congress*, p. 626; Newport Town Meeting Rec. 1779-1816 (MS.) p. 174, 192, under date of Aug. 27, 1789.

poised, as neither to need alteration or be liable thereto by a majority only of nine States out of thirteen.'"<sup>1</sup>

On September 19, 1789, Congress, unwilling to make use of the appearance of force, relieved Rhode Island and North Carolina from the impost duties until January 15, 1790. Whether or not the anti-federalists thought that this action was a concession to their principles, in October they rejected for a seventh time the motion for a convention. Strange to say, it was negatived by a vote of 39 to 17, a larger majority than in either of the two previous votes on the question.

A critical change in the situation occurred on November 21, 1789, when North Carolina ratified the new Constitution as the twelfth state. Rhode Island was now absolutely alone. The suspension of the impost act in her favor could last only until January 15, 1790. After that, if the legislature still refused to grant a convention, the future looked dark. The leaders of the federal party girded themselves for a final effort. They had been defeated seven times, the last by a significantly large vote of 39 to 17. But they hoped that the change in conditions, through the ratification of North Carolina, would bring about the fulfillment of their hopes. The assembly met by adjournment at Providence on January 11, 1790. After four days spent in routine business, the motion for a convention was again renewed in the house. A long debate ensued, when it was finally carried by a vote of 34 to 29, and sent up to the senate for concurrence. On the following day the senate, after a whole day's discussion of the matter, voted for non-concurrence, 5 to 4. Unwilling, under stress of such excitement, to wait until Monday, the assembly adjourned to Sunday morning. A great concourse of people came to attend the session. Religious worship was suspended in favor of the great political question of the hour. Another slightly differing motion for a convention was quickly introduced into the house and passed by a vote of 32 to 11. It again went up to the senate for approval. By an odd stroke of chance the personnel of that body had suffered an important change. According to a story of the times, one of the anti-federal senators who was a minister, feeling the importance of his

<sup>1</sup>*R. I. C. R.* x, 356. The letter concludes: "We cannot without the greatest reluctance look to any other quarter for those advantages of commercial intercourse which we conceive to be more natural and reciprocal between them and us". Staples (*R. I. in the Continental Congress*, p. 624), says that the clause seems like a threat to seek foreign aid. Dr. Dwight in his *Travels in N. E.*, iii, 50, refers to a proposal made by the French government to have "the island of Rhode Island and harbor ceded to them by Congress". Of course such a proceeding would have been impossible.

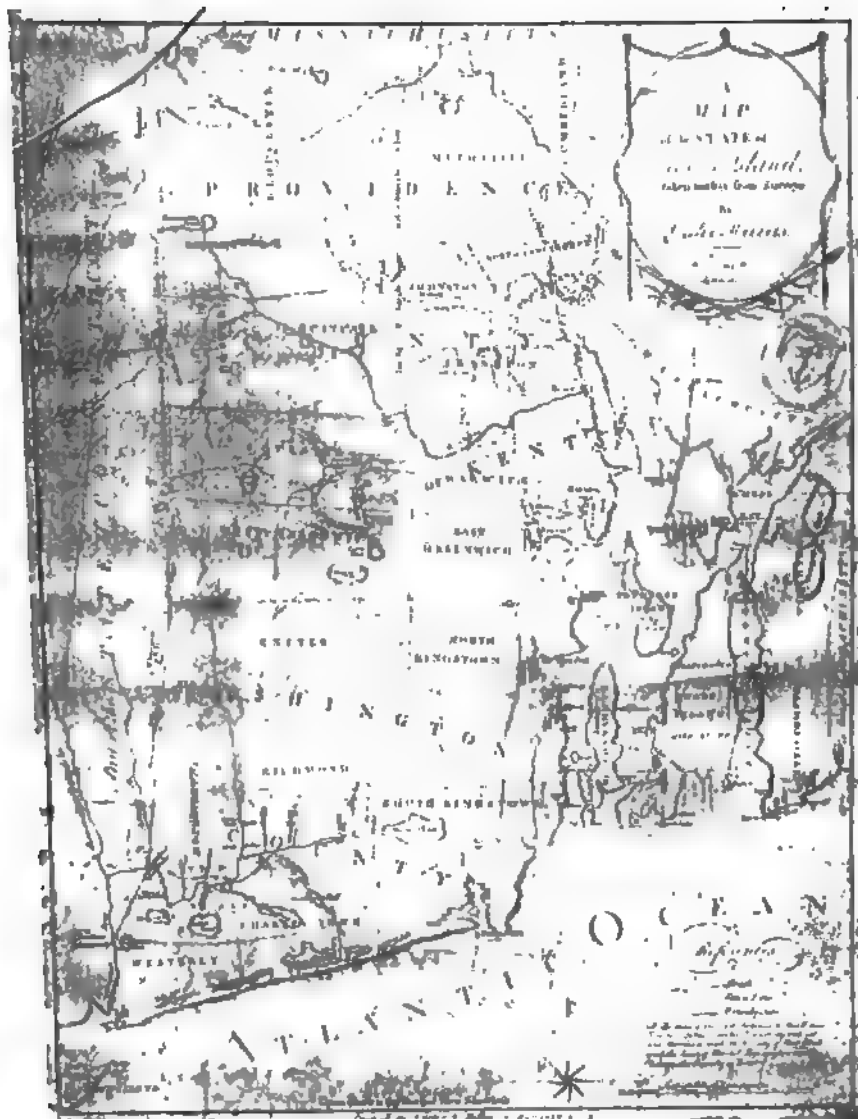
Sabbath duties, had deserted his colleagues for his congregation.<sup>1</sup> This left a tie in the senate, four senators voting for and three and the deputy-governor against. The casting vote remained with Governor Collins. Although a paper money partisan and an anti-federalist candidate, he realized the critical situation in which the state was placed, and voted to concur. By the narrow margin of one vote the federalists had won the first move in their efforts to obtain ratification.<sup>2</sup>

The act calling the convention required that the freemen, on the second Monday in February, 1790, should elect delegates to meet in convention on the first Monday in March at South Kingstown. There was no time for delay. Congress, upon renewed application from the general assembly, had suspended the revenue laws in favor of Rhode Island until April 1. Unless the Constitution was adopted before then, the state would be considered as an alien. On March 1, 1790, the convention, consisting of seventy delegates, met in the old court house at South Kingstown. There promised to be a slight majority opposed to the Constitution. After two days spent in matters of preliminary formation, the body proceeded to a discussion of the Constitution itself, section by section. A committee of two from each county was finally appointed to draw up amendments. Upon their report, the convention accepted sixteen amendments and a bill of rights in eighteen sections. Henry Marchant then moved that the Constitution should be ratified and that the amendments should be forwarded to Congress with the recommendation that they be adopted. The anti-federalists, unwilling to risk a trial of strength, immediately moved, as a previous question, for adjournment. After a long discussion as to the legality of this move, the latter vote was carried, 41 to 28. The federalists then strove to have the date of adjournment set forward only a few weeks; but the efforts of the opposition managed to have the matter postponed until the fourth Monday in May. By a majority of one vote Newport was selected over East Greenwich as the place of meeting.<sup>3</sup>

<sup>1</sup>Staples, *Annals of Providence*, p. 246.

<sup>2</sup>The act itself is in *R. I. C. R.* x, 373. The detailed action is in MS. Acts and Resolves, 1788-90, and is mentioned in the newspapers of the day.

<sup>3</sup>The minutes of this convention were not supposed to be in existence until 1863. In that year Wilkins Updike deposited in the state archives the papers of his brother, Daniel Updike, who had been the secretary of the convention. Among them was an unpagged minute book, now preserved in a volume entitled "Papers relating to the adoption of the U. S. Constitution", and printed in Staples, *R. I. in the Continental Congress*, p. 644. It covers only as far as the beginning of the session on March 4, and all subsequent action has to be



MAP OF THE STATE OF RHODE ISLAND, BY CALEB HARRIS, 1795.  
 FROM THE ORIGINAL IN THE POSSESSION OF THE RHODE ISLAND HISTORICAL SOCIETY.



Again had the provincial feeling against the Constitution triumphed. Although the large towns made vigorous efforts, the anti-federalists won another victory at the election of April, 1790. Congress, disgusted at the turn of proceedings, was rapidly working itself into an impatient state of mind. The advisability of coercion was frequently discussed. The northern states, anxious to obtain Rhode Island's vote in Congress on certain measures in which they were opposed by the South, all but succeeded in getting a bill passed which provided for extreme measures.<sup>1</sup> Rhode Island was not left uninformed of the proceedings. One congressman, writing to her of the feeling throughout the country on the subject, remarked that "the people in the back parts ought no longer to be deceived with the idea, that the condition of single independence is an eligible one".

Active preparations were made in Rhode Island for the approaching convention. The different towns instructed their delegates on the matter, and Providence even provided for a possible secession from the state in case the Constitution was rejected. On May 24, 1790, the convention, upon whose decision Rhode Island's fate depended, assembled at Newport. After two days spent in attempting to get a quorum, the delegates finally took up the matter in hand. For five days the discussion over various amendments was continued. Late in the afternoon of May 29 the grand question of adopting or rejecting the Constitution of the United States was moved by Benjamin Bourne. It was seconded and passed in the affirmative by a vote of 34 to 32.<sup>2</sup> By the narrow margin of two votes Rhode Island was saved from lasting disgrace and possible dismemberment.

The news of the great event was received with demonstrations of joy both in Providence and Newport, and was hailed with satisfaction throughout the whole country. The act of ratification, with a bill of rights and twenty-one amendments suggested, was soon published.<sup>3</sup> In June the assembly convened, took the oath to support the new

gleaned from the meagre Journal of the Convention, which also is not complete, and from the newspapers of the day. There has recently been found in some old manuscripts in the R. I. Hist. Soc. Library, a MS. volume of minutes of this convention. It is a document of 81 pages, the first 16 of which, however, are missing. It covers in detail all the action from the middle of the session on May 3 until the close of the convention on March 6. Containing as it does abstracts of the arguments of each speaker, the statements of the different votes, etc., this document should soon be printed to complete the record printed by Judge Staples.

<sup>1</sup>Bates, *R. I. and the formation of the Union*, p. 186-195.

<sup>2</sup>The journal of the convention, the town instructions to delegates, and other papers are printed in Staples, *R. I. in the Continental Congress*, p. 659-681.

<sup>3</sup>These are printed in Staples, *R. I. in the Continental Congress*, p. 674-680. For a discussion of them see Bates, *R. I. and the Formation of the Union*, p. 201-207.

Constitution, elected senators to Congress, and ratified eleven of the twelve amendments previously proposed by Congress. The proceedings of the session, instead of concluding with "God save the State", as had been the custom of the past year, were now ended with "God save the United States of America". Rhode Island was at last within the Union.

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## CHAPTER XVII.<sup>1</sup>

### THE ADMINISTRATION OF THE FENNERS, 1790-1811.

The entry of Rhode Island into the Union through the adoption of the constitution may properly be considered as the beginning of a new era. During the colonial period it had enjoyed a greater measure of liberty than any of the other English settlements, although its independent existence had been often seriously threatened by the territorial claims of its colonial neighbors. Although the boundary line between the state and Massachusetts was not clearly defined at all points, its territorial rights had long been acknowledged, and very little change was henceforth to be made in its geographical limits.<sup>2</sup> The people of the state were mainly engaged in agriculture and commerce, but were just beginning to take an interest in manufactures. The soil of Rhode Island as a whole has always been considered as sterile, but certain sections of it, especially its islands, are fertile, and at the time under consideration considerable quantities of butter and cheese, pronounced of excellent quality, were exported to the neighboring colonies. Its fine breeds of cattle and sheep had also obtained a reputation

<sup>1</sup> Beginning with this chapter the writer wishes to acknowledge the efficient assistance of Josiah B. Bowditch. Up to this period it has been somewhat unnecessary to mention matters of minor importance, since Governor Arnold's comprehensive history of the state so fully covers all events. But from this date of 1790 until the close of the 19th century, we have no detailed account of the state's history. For this reason, therefore, the subject henceforth assumes rather the form of annals. As we approach, furthermore, the history of the present time, it becomes more difficult to form historical judgment. It is better to give the plain, unvarnished narrative of events, leaving to the writers of the future the deduction of motives and the forming of opinion.

<sup>2</sup> In 1862 Fall River, Rhode Island, which, in 1790, was the northerly portion of the town of Tiverton, was transferred to Massachusetts, while Rhode Island received compensation by the annexation of the Massachusetts town of Pawtucket, and the westerly portion of Seekonk. The latter is now the populous town of East Providence; the annexed Pawtucket now forms that portion of the present city of Pawtucket which lies east of the Seekonk river; while the town which Rhode Island lost in 1862 is now that portion of the present city of Fall River which lies east of Mount Hope bay.

outside of its borders, and were exported in considerable numbers. This little state, scarcely larger in area than Greater London, is now more than seven times as populous as it was in 1790, yet this great growth is almost entirely due to the development of its manufactures. Its farming interests may be considered to have been fully developed when the first Federal census was taken, and it is reasonable to believe that the farms as a whole were as well-tilled then as they now are, and that, outside of the sections where the cities and growing villages have encroached upon the country, the wooded area of Rhode Island is no smaller now (1901) than it was in 1790.<sup>1</sup>

The change from the loose union of the thirteen states, which had existed during and since the Revolution, to a strong, responsible Federal government, was a radical one, and although they had all finally accepted the new order of things, their adjustment into the Union, involving, as it did, many radical changes, could not be effected without some degree of friction. No other of the original states as British colonies, and none of the new states, except Vermont,<sup>2</sup> enjoyed, prior to their entry into the Union, so large a measure of independence as did Rhode Island. In adopting the constitution it had to surrender more of its individual authority than did any of its sisters, and it naturally hesitated the longest before taking the final step.

Immediately after the adoption of the constitution by the state, on June 14, 1790, Congress passed an act extending over Rhode Island the provisions of the tariff act of July 4, 1789, the tonnage act of July 20, the act to regulate the collection of customs and tonnage duties, passed July 31, and the registry act of September 1, 1789. The state was divided into two customs districts, those of Newport and Provi-

<sup>1</sup> West Greenwich had 2,054 inhabitants in 1790 and but 606 in 1900; Little Compton, 1,542 in 1790 and 1,182 in 1900; Foster, 2,268 in 1790, and 1,151 in 1900; Charlestown, 2,022 in 1790, and 975 in 1900; Exeter, 2,485 in 1790, and 841 in 1900; Richmond, 1,760 in 1890, and 1,506 in 1900. A careful comparison of the population figures of the remaining towns and cities of the state for the two periods leads to the conclusion that the farming population of the state is no larger now than it was in 1790. In examining the details of the census of 1790, however, it is well to understand that the accuracy of some of the returns is doubtful, as many citizens in the agricultural towns declined to give the required information, looking upon the inquiries as an attempt of the general government to interfere in their domestic affairs (See *R. I. Census Report*, 1885, page 380). The total population of the state, as given in 1790 was 68,825. That of 1800 was only 69,122, although Providence and two or three of the other towns had made large gains during the decade. The most noticeable fact in the census is the dwindled population of Newport. In 1774, when the last colonial census, before the beginning of hostilities, was taken, Newport contained 9,209 and Providence 4,321 inhabitants. The terrible effects of the Revolution upon Newport so much affected population that in 1790 that town contained but 6,716 inhabitants, while Providence had increased to 6,380.

<sup>2</sup> Vermont declared its independence and adopted a constitution on December 25, 1777, and from that date until its entry into the Union, in 1791, was absolutely independent of outside control.

dence, which were constituted ports of entry, and each given a collector, naval officer, and surveyor. There were also to be six surveyors for the seven ports of delivery, one of which—Pawtuxet—was in the Providence district, and the other six—North Kingstown, East Greenwich, Westerly, Bristol, Warren and Barrington—in the district of Newport. The two last-mentioned places were to be served by the same surveyor. The fact that all of the minor parts of the state save Pawtuxet were placed within the Newport customs district clearly indicates the relative importance in which the two leading towns of the state were held at that time in the judgment of the national officials.

The relinquishment of the customs and tonnage revenues to the general government at that time was a matter of considerable importance to the state, as its ordinary revenues must necessarily be diminished by their loss. The town of Providence, which had labored so zealously to secure the adoption of the constitution, discovered that an important public work, necessary to its continued commercial growth, was likely to be held up by the diversion of the port revenues to the national treasury. In January, 1790, the general assembly incorporated the River Machine Company for the purpose of dredging Providence river and improving its navigation. To remunerate the company for its work, and to pay the expense of building "the mud machine", the act provided for a duty of two cents a ton on all vessels of above sixty tons arriving at the port. It appears that the company had just begun the work of dredging, and had realized but sixty dollars in duties, when the acceptance of the constitution put a temporary stop to the work. The company directed its president and secretary to petition Congress for a continuation of the subsidy, and to secure the aid of the congressmen from the state in the matter. In a letter from Obadiah Brown, secretary of the company, to Senator Theodore Foster, dated August 2d, 1790,<sup>1</sup> he states that the river shoaled perceivably every year or two, and had been several feet deeper during the memory of man; that owing to the filling up of the channel, all large vessels were obliged to unload part of their cargo at the "Crook", which in the icy season was dangerous, the scows sometimes taking in water to the damage of the goods, and sometimes sinking with the whole property on board; that there were a larger number of vessels belonging to the port than belonged to New York; that it was a place of more navigation than any of its size in the Union; that it was no chimera that, the exertions of art excepted, the time was fast approaching when Providence could be a port no longer; and that the machine and scow was then lying idle "in this very wormy river", awaiting the legislation necessary to set it dredging again. Congress

<sup>1</sup> *R. I. H. S. Publ.* viii, 127.

passed an act on August 11, 1790, continuing the tonnage duty for the benefit of the company until January 10, 1791, and subsequent acts prolonged its operation until June 1, 1796.

The general assembly, in June, 1790, chose Joseph Stanton, jr., and Theodore Foster as United States senators, and they took their seats in the senate on the 25th of that month. In drawing lots for their respective classes, Mr. Stanton drew the four years' and Mr. Foster the two years' term, from March 4, 1789. To enable the two gentlemen to take their seats promptly, and to provide for their immediate needs, the general assembly voted to loan each of the gentlemen one hundred and fifty silver dollars, which they were to pay into the state treasury, with interest, upon their return. Provision was made in the resolution that, if the treasury did not then contain the necessary three hundred dollars, the money should be furnished the senators by either of the collectors of imposts.

The act authorizing the election of a member of the National House of Representatives, directed the election to be held on the last Tuesday of August; that the election be held under the same conditions as the regular state elections; that if no person received a majority at the first election, a second one should be held on the tenth day after the rising of the assembly, at which election only such candidates should be voted for as at the first election received the largest number of votes, and whose total vote constituted a majority of the whole number cast; that the votes cast at the second election should be counted at the next session of the general assembly, and that if no one then received a majority, a third election should be ordered on the 10th day after the rising of the two houses, at which only the two highest candidates should be voted for. The state appears to have been represented in the Continental Congress up to the time of the organization of the First Congress under the constitution. Benjamin Bourn, who had advocated the adoption of the constitution, was chosen representative to that Congress at the election in August, 1790. His term expired on the 4th of March following, but he was re-elected in October, 1790.

The desire to hold office at this time appears to have been as intense as it is at the present day. The principal Federal offices to be filled were those of collectors and surveyors, previously mentioned, district judge, district attorney, naval officers at Providence and Newport, commissioner of loans, and marshal. The applicants for Federal positions were mainly confined to those who had advocated the accession of Rhode Island to the Federal compact. The "antis", who had carried their opposition almost to the point of placing the little commonwealth in a ridiculous position, could hardly expect to be rewarded for their obstinacy. Washington was repeatedly warned to give office to none but his political friends. Some of the applicants for office did



not wait for the convention's action, but, anticipating its ratification, had written to the president personally. One of the first so to do was ex-Governor John Collins of Newport, who had served the state as its chief magistrate from May, 1786, to May, 1790. Under date of May 24, 1790, he detailed the sacrifices he had made in the cause. On the memorable Sunday in January of that year, it was his vote which, by breaking the tie in the senate, had caused that body to concur with the lower house in ordering a convention, and he assured Washington that he had lost public confidence because of that act. "And when I reflect", he wrote, "upon your friendship, generosity and goodness, with how much it will be in your power to gratify me, you will give me leave to anticipate your influence and appointment to the office of collector for the district of Newport. Your Excellency's attention to me in this shall be ever had in lasting remembrance". And he closed with these words: "Your goodness will forgive the trouble given you by an application from him who will obey your command with cheerfulness and alacrity, and honor you without flattery".<sup>1</sup> Governor Collins did not receive the appointment, which went to William Ellery. The letters<sup>2</sup> regarding appointment to office, sent to Washington, Hamilton, and the Rhode Island congressmen, by the applicants and their friends make interesting reading. They show the light in which the politicians of the day regarded each other, and also the fact that the political affiliations of some of the public men were not as yet clearly defined. Governor Fenner probably had as much to say about Federal appointments in Rhode Island as any one in the state. His letters to Senator Theodore Foster show him to have been an accomplished political fence-builder.

An important question, in which the state was greatly interested, and which probably had some influence in securing its ratification of the constitution, was Hamilton's project for the assumption of the state debts by the Federal government. It had been attached to the funding bill, which at the time seemed likely to pass without including the assumption of the state debts. Naturally the friends of the measure were anxious to have Rhode Island's assistance in securing its passage. The New England congressmen were generally in favor of the measure, while those from the southern states were, as a rule, opposed to it. The project was finally carried through by a compromise between Jefferson and Hamilton, by which southern votes were given for the state debts measure in exchange for northern ones for locating the permanent capital of the nation upon the Potomac. The senators from this state had lent their influence and their votes in

<sup>1</sup> *Am. Hist. Rev.* i, 279.

<sup>2</sup> *R. I. Hist. Soc. Publ.* viii, 2.



furtherance of the latter project, but at its final passage voted against it, because the amount fixed upon for Rhode Island was only \$200,000, while they and leading men of the state believed that a fair distribution of the \$21,500,000 assumed by the general government would have allotted at least \$500,000 as the amount due. This question caused a good deal of discussion throughout the state, and the outcome caused considerable dissatisfaction, and furnished an argument to the irreconcilables who still doubted the wisdom of Rhode Island's accession to the Union.

At the June session of the general assembly, immediately following the adoption of the constitution, the ten amendments to the latter, which had been adopted to soften the opposition of its opponents, were all accepted. The "Providence society for promoting the abolition of slavery, for the relief of persons unlawfully held in bondage, and for improving the condition of the African race", was chartered. The subject of slavery was under frequent discussion about this time. The newspapers contained many communications picturing the horrors of the slave ships, many of which sailed from Rhode Island ports. The arguments against the institution were mainly regarding the slave trade, rather than against the institution itself, although the latter received some degree of condemnation.

In August, 1790, after the adjournment of Congress, President Washington visited Newport and Providence. The autumn before, when he made his trip north he had shunned the state as he would any other foreign country, but now that she was in line, he made a special trip to welcome the wayward little sister which had entered the fold at the eleventh hour. He was accompanied by Jefferson, who was then secretary of state, Judge Blair, one of the justices of the United States Supreme Court, Governor Clinton of New York, Senator Foster of Rhode Island, Congressman Smith of South Carolina and Gilman of New Hampshire, and others. After spending a day at Newport, where he was duly saluted, addressed, banqueted and punched,<sup>1</sup> he took the packet Hancock, Captain Brown,<sup>2</sup> and after tossing many hours on a rough bay, arrived at Providence at four in the afternoon of August 18. A cannon was fired as the packet reached the outer harbor, and as Washington stepped upon the wharf he was greeted with a Federal salute (thirteen guns). Governor Fenner headed the largest and most distinguished procession the town had ever seen. The state and town dignitaries, the local militia organizations, the

<sup>1</sup> Rum and molasses.

<sup>2</sup> Plying between Providence and New York. It appears that Providence was considered of sufficient importance in 1790 to have a line of passenger boats to New York in the winter time. Until very recently the people of Providence, a city of 175,000 inhabitants, have been required in the winter to go to a small Connecticut town to take boat for the metropolis.

officers and members of the order of Cincinnati, the Masonic brethren, the officers and members of the Society of Mechanics and Manufacturers, and other local organizations, each had their place in the procession before the "gentlemen strangers" and common people were reached. The leading citizens of the young republic a century ago paid great homage to the exacting goddess of Precedence, and even the minor officers of the local societies were placed in line on this occasion with a scrupulous regard to their supposed importance. It is interesting to note that Governor Clinton was given position next to Washington himself, and ahead of Jefferson and Senator Foster, while Judge Blair of the Supreme Court had to trudge along by the side of the two ordinary congressmen. Bells were rung as the procession passed through the streets, and, in the quaint language of the Providence Gazette of that week's issue, "all ages, classes and sexes were full of sensibility on the joyful occasion, and the brilliant appearance of the ladies from the windows was politely noticed by the President, and gave animation to the scene". Arriving at the "Golden Ball Inn",<sup>1</sup> President Washington, Governor Fenner and the other notables reviewed the procession as it marched past. There was a plentitude of drumming and fifeing in those days, and it is to be presumed that the military bands of the town, which were probably largely composed of musicians who had had long practice during the Revolution, discoursed good music, but the only record we have of this feature of the reception is from the journal of Congressman Smith, who said the procession contained three "negro scrapers", who made "a horrible noise". At nine at night, Washington and his companions went to the Rhode Island College grounds, at the invitation of the students, who had handsomely illuminated the building. Visiting celebrities have been badly overworked in all ages. At nine o'clock the next morning, Washington and his companions were taken in hand and shown the town. They traversed all the principal streets, and examined everything of interest, looked over the college building, went on board of a large ship—the President—of 900 tons, built for Messrs. Brown & Francis, and partook of wine and punch at the residences of the Governor and three other prominent citizens. In the course of the day, Washington received formal addresses of welcome and congratulation from the Providence Town Council, from the corporation of the Rhode Island College, and from the Society of the Cincinnati, to all of which

<sup>1</sup> This old inn, now known as the Mansion House, is still standing on Benefit street, opposite the Old State House. Among the Providence Town Papers Nos. 5,700, 5,701, 5,703, 5,704, 5,712, 5,717, 5,797, are many original documents relating to the visit of Washington to the town. No. 5,703 is the original address of the town to President Washington and No. 5,704 is Washington's reply. Other documents are bills for candles supplied the poor to illuminate their houses, for printing tickets and programmes and services incident to the occasion.

he made appropriate responses. At three in the afternoon, at which time, according to the South Carolina chronicler, all of Washington's companions were completely exhausted, the company sat down to a banquet in the Court House (the Old State House), which was set for two hundred plates. The inevitable toasts followed. They were thirteen in number, of which "The Congress of the United States" was first, and "The President of the United States" was second. When the latter was announced, Washington immediately arose and drank to the company present. The third toast was to the Governor and the state, the fourth to the King and National Assembly of France, the fifth to Lafayette, and the sixth to the fair daughters of America. At the conclusion of the thirteenth toast, Washington arose and proposed "The Town of Providence", and after it had been pledged in good Providence run, immediately departed for the New York boat, which sailed about four o'clock.<sup>1</sup>

The prominence given to the French in the toasts at this banquet shows that the state in which "our French allies" had performed their chief service in the Revolution retained a warm regard for them. Almost every public occasion about this time ended with a banquet and a long programme of toasts. The newspapers of the day, which ordinarily gave but little local news, always recorded the text of the toasts drank on the Fourth of July and on other special occasions. Even the commencement exercises of Brown University usually ended with a banquet by the "Federal Adelphi", and the drinking of toasts.

At the September session of the general assembly legislation was enacted requiring the keepers of gaols throughout the state to commit for safe keeping all prisoners arrested under the authority of the United States, in "full assurance" that Congress would make provision for their support. The time for the election of congressmen was changed at this session to the third Monday in October. At an adjourned session in October the general assembly adopted an address to President Washington. His polite response was ordered to be inscribed in the public laws.

In the spring election of 1791, Arthur Fenner, who had displaced Governor Collins in the previous year when Rhode Island was a colony, was re-elected as Governor of the state. So popular a man he was that he was chosen to the office each successive year until his death in 1805, and then was succeeded by his son, James Fenner, who held the office until the triumph of the Federalists in 1811. The administration of these two men—father and son—covered a period of twenty-one years, during which many important events connected with Rhode Island's entry into the Union occurred.

<sup>1</sup> There is a comprehensive account of Washington's visit to Providence in the *Prov. Journal* for Oct. 15, 1899.

In 1791 several lotteries for public purposes were granted. It was much easier at that time to raise money for such purposes than by either regular taxation or subscription, and it was considered perfectly legitimate. The building of bridges, the laying out and improvement of roads, the erection of churches, and the raising of money for Rhode Island College were some of the praiseworthy purposes in the furtherance of which the natural propensity of mankind to indulge in games of chance was stimulated and encouraged. Commissioners to help adjust the boundary line between Rhode Island and Massachusetts were appointed at the May session of the general assembly in 1791; and at the same sitting a petition for a division of the town of Gloucester was referred to the next session. It was discussed at the session of February, 1792, and again laid over for further consideration.

An unimportant resolution passed at the October session this year, to pay John Carr, gunner, and four oarsmen their wages for services at Fort Washington from May 8, 1790, to May 8, 1791, and the appointment of a committee to consider and report upon the advisability of retaining the gunner and oarsmen in the service of the state, indicates that Rhode Island had not yet rendered unto Caesar all things that were Caesar's. The fact that the national government should have sole charge of the fortifications was not fully understood until some time later. In 1792 the assembly voted to remount the cannon at Fort Washington, and to furnish suitable colors and a reasonable amount of powder for it. Probably both state and national colors were raised over it. That the former were used seems certain, for two years later an indignant correspondent in the Providence Gazette complains because the state colors were raised over the fort on the receipt of the false intelligence of the capture of the Duke of York by the French. In 1791 several of the well-to-do merchants and other men of means in Providence secured a charter for a bank. It was known as the "Providence Bank", and went into operation in October of that year. It was the first bank organized in the state, and its immediate success encouraged the starting of others.

In February, 1792, the general assembly passed an act to regulate the affairs of the Narragansett Indians and a committee, of which Governor Fenner was the chairman, was chosen to investigate their troubles and take the most effectual measures to end them. The remnant of the once powerful tribe was mostly located in the town of Charlestown, and it was required, by the terms of the act, to hold an election and make choice of a council. All Indian male adults and all adult males of mixed Indian and white parentage were authorized to participate in the election, but the sons of Indians and negroes were declared ineligible. An act was passed at the February session providing for the division of intestate estates in equal shares among the surviving children. At the same sitting the question of ordering the

election of delegates for a constitutional convention was brought up, but was side-tracked for the time by referring it to the next session. The assembly was convened in special session in August of this year because of the death of Beriah Brown, the high sheriff of Washington county, there being no legal method for the appointment of his successor, except by act of the general assembly. Legislation was therefore enacted empowering the deputy sheriff to act upon the decease of his principal until a successor was chosen; and to provide for vacancies caused by death of clerks of courts, the appointment of temporary successors was vested in the chief justice. A resolution was passed at this extra session to distinguish candidates for Congress upon the ballots as "First" and "Second Representative", and to reject all votes otherwise cast. A curious bit of legislation at this same session was the passage of an act forbidding horse racing or



CORONATION ROCK, KENYON FARM ON THE OLD PEQUOT PATH, CHARLESTOWN.

On this rock it is authentically stated that Queen Esther, the latest ruler of the Narragansett, was crowned in 1770. This rock is about twelve rods north of the house erected by King Thomas Ninigret.

liquor selling within one mile of the Seventh Day Baptist church in the town of Hopkinton at any time during church services. The act was of course designed to give this sect, which has always been quite strong in Hopkinton, the same exemption from week-day activities on Saturday that other worshipers were given on Sunday; but as the act applied to all days in the week, it was likely to be oppressive if carried out to the letter. At the October session it was voted to choose presidential electors by joint ballot of the two houses, and that in future elections the electors should be chosen by the people at large in town meeting. A resolution was passed at this session accepting the United States standard value for gold coins. The assembly's formal acceptance of the United States standard of money was evidently considered necessary to give it legal sanction.

At the February session of the assembly in 1793 a special act was passed granting Newport permission to hold theatrical entertainments. In May the assembly resolved to transfer the lighthouse in Jamestown to the United States of America, "provided, nevertheless, and be it further enacted, by the authority aforesaid, that if the United States shall at any time hereafter neglect to keep it lighted and in repair, the lighthouse aforesaid, that then the grant of said lighthouse shall be void and of no effect".<sup>1</sup> Thus was the United States put on its good behavior by its smallest state. As a result of the war between England and France, and the capture of certain of the latter's possessions in the West Indies, and of the uprising of the blacks on the island of St. Domingo, many of the French inhabitants fled from their homes and came to Rhode Island, seeking refuge in the state in which the soldiers of France had campaigned so pleasantly and so safely during the Revolution. Some of these exiles were destitute when they arrived, and others, failing to obtain remunerative employment, had to apply for aid from the towns in which they were located. The general assembly voted the necessary funds for the maintenance of such destitute persons at the October session of this year, and appropriated money to reimburse the towns providing for them during several of the years immediately succeeding. By an act passed in 1794 the charity was restricted to French exiles from St. Domingo only. In the aggregate several thousand pounds were expended for this charity, the larger portion being paid to the towns of Newport and Providence. Necessary legislation was enacted for the reorganization of the militia, in conformance to the act of Congress. It was organized in one division of four brigades.

In February, 1794, the marriage law was amended so as to allow Methodist clergymen to perform the marriage ceremony, as well as those of the other denominations who were already invested with the privilege. At the March session the land on Goat Island, in Newport harbor, on which the fortifications were located, was formally ceded to the United States. In October an act was passed prohibiting theatrical exhibitions and other stage plays "in this colony."

No record can be found showing the relative strength of the two national parties in the state previous to 1794. Joseph Stanton, jr., who was elected as one of the first United States senators, and whose term expired on March 4, 1793, was of anti-Federal affiliations, and was succeeded at that time by William Bradford, a Federalist. Theodore Foster, Stanton's colleague, whose term expired on March 4, 1791, was re-elected for six years. There is no record of the popular vote for representatives in Congress in 1792, when Benjamin Bourn and Francis Malbone, Federalists, were chosen. They were elected in 1794

<sup>1</sup> Acts and Resolves, May, 1793.



by the following vote: Francis Malbone, 1,911; Benjamin Bourn, 1,880. Their anti-Federal opponents, Joseph Stanton, jr., and Peleg Arnold, received respectively 1,178 and 1,138 votes.

In May of this year (1794) an incident occurred at Newport that might very easily have assumed grave national importance. The British sloop of war *Nautilus*, Captain Boynton, arrived there on the 8th of that month bringing the French Governor of St. Lucie and his suite, who by the terms of capitulation were to be landed at Newport. Captain Boynton, who had landed with his first lieutenant, asked permission of the general assembly to purchase provisions for the ship's company, and while the request was being considered, report was received that there were thirteen Americans on the *Nautilus*, and that three of them had been impressed in the West Indies. The two houses took immediate action, inviting the judges of the State Superior and the United States District Courts to confer with Captain Boynton, and investigate the truth of the rumor. The British officer and his lieutenant, on invitation, met the court officials in the council chamber, and flatly denied that there were any American sailors among his crew. The two officers started to leave the building, but fearing to encounter the excited crowd in the corridors and outside, immediately returned. Finally the captain consented to send a line to the officer in charge of the *Nautilus*, directing him to muster the crew in the presence of the court officers, and release the American sailors, if any should be found. As a result, six sailors declared their American citizenship, and were discharged and paid their arrears of wages. This ended the incident, but the British captain was undoubtedly intimidated. Had he acknowledged that fact, however, he would have been cashiered by the British Admiralty. As it was, the release of the impressed seamen was made to assume the appearance of an act of good will on the captain's part, and therefore neither he nor the British government could complain of either the outcome or the methods by which it was brought about. But the wound rankled beneath the British naval buttons, and it was intensified by the partiality shown the French in Newport and other coast towns. On July 31, 1795, the sloop *Peggy*, running as a packet between Newport and New York, was stopped and searched as she was entering Newport harbor by the British line-of-battle-ship *Africa* (Captain Rodman Home), which was anchored near the lighthouse. Captain Home had received information that M. Fauchet, the late French minister to Washington, was on board, but the latter, being warned, had debarked at Stonington. Failing of his prey, the *Africa's* captain ordered the trunks of the passengers to be opened and searched, in the hope of finding some of the embassy papers. Nothing of the nature was found, however, but Captain Home sent an insolent letter to Governor Fenner, through the

British vice-consul at Newport, Thomas W. Moore. He demanded that a British lieutenant, who, as he claimed, had been taken in Newport and confined on the French frigate *Medusa*, then in the harbor, be allowed to come on board the *Africa*; that the state authorities aid him (with genuine and not pretended assistance) in capturing British deserters; that he be allowed to purchase provisions for his crew; and that the same neutrality be extended to the officers and crew of the *Africa* that was accorded the French. And he warned the Governor that if any of his men were even impeded in the least degree by either a mob or a single person, he would consider the neutrality of the place violated, and would govern himself accordingly. Governor Fenner was at his home in Providence at the time, and upon receipt of the British officer's insulting epistle, wrote to Vice-Consul Moore, expressing astonishment that he should have forwarded such a letter, and informing him that he had sent it to President Washington. The latter, upon receipt of the letter, promptly issued a proclamation<sup>1</sup> censuring Vice-Consul Moore, and revoking his exequatur. No official notice was taken of Captain Home. He chased the French frigate out to sea, and returning, resumed his anchorage near the lighthouse. On August 24, according to the deposition of Captain Tillinghast of the ship *Ann* of Providence, the *Africa* brought to his vessel and impressed three of his crew. All were British by birth, but two of them, he declared, were naturalized citizens of the United States, and had families in America.<sup>2</sup>

At the June session of the general assembly in 1795 a resolution was adopted changing all money accounts from pounds, shillings and pence to dollars, cents and mills, and a committee was appointed to make a new estimate of property for state taxation purposes. In October, the assembly voted to change the designation of the upper house from "Assistants" to "House of Magistrates", and that of "Deputies" to "House of Representatives". The "House of Magistrates", however, never came into use.

At the February session of the general assembly in 1796, Governor Fenner laid a letter before the two houses from Senator Foster, de-

<sup>1</sup> Dated September 5, 1795

<sup>2</sup> A foot note in the *Providence Gazette* of August 29, 1795, states that the British lieutenant whose release was demanded by Captain Home had been taken in a British vessel and brought to Newport on July 25, and immediately transferred to the *Medusa*, that he was then paroled, and had left for New York in one of our packets the next day, a fact which Vice-Consul Moore must have known, and of which Captain Home was probably not ignorant. As the captured lieutenant was plainly entitled to his freedom upon his arrival in neutral waters, and as his transference as a captive from one ship to another within the harbor had been made without protest, the British officer took the liberty to frame his insulting demand. In any event, it was an affair which should have been settled through regular diplomatic channels, and Home's demand was entirely without justification.

fending the action of President Washington and the United States senate regarding the Jay Treaty. A joint resolution was passed expressing confidence in the President and favoring the ratification of the treaty, and this action was further strengthened in the following April by a memorial from the merchants of Providence to Congress, praying for the acceptance of the treaty. The report of the committee on state valuation was rendered at the June session in 1796, and was adopted by the assembly notwithstanding the protest of several members of Providence, Bristol and Newport counties, who claimed that the estimates for their respective towns were excessive. The house refused to allow the protest to be inscribed in the records. It was published, however, in the newspapers, and at a town meeting held in Providence, June 25, it was resolved not to assess the tax, on the ground that it was excessive and unconstitutional. A committee was appointed to draft a circular letter to other towns inviting them to send delegates to a convention to be held in Providence, to consider the taxation matter, and also the question of forming a written state constitution. Delegates from eight towns in Providence and Bristol counties assembled in convention in the town house at Providence on July 26, and after some discussion adjourned to August 15, at which time it was determined to issue two circulars to be sent to the several towns, regarding the taxation question and urging the calling of a convention to form a constitution. At the October session of the general assembly a resolution was passed requesting the freemen of the several towns to instruct their representatives during the recess of the assembly on the question of calling a convention of delegates to frame a written constitution. The town of Providence rescinded the vote passed in June, refusing to assess the state tax, but it took no immediate measures for raising it.

Francis Malbone having declined a re-election to Congress, his friends put forward Christopher Grant Champlin of Newport for the office, while others presented the name of William Greene of East Greenwich. The vote was close, but Mr. Champlin won by about 100 majority. Benjamin Bourn was elected the same day—August 30, 1796—without opposition, but he declined to serve, and another election was held on November 15, 1796, when Elisha R. Potter was chosen by a majority of 945 votes.

The general assembly, at the February session in 1797, endorsed the alien and sedition laws of Congress, in reply to resolutions condemning them, received from the legislatures of Kentucky and Virginia. On August 4, of this year, President Adams visited Providence, and was received at the wharf by prominent citizens with a military escort. Salutes were fired, bells were rung, the college was illuminated, and he was presented with an address. The large trade enjoyed by Providence with the states to the southward and with the West Indies ex-

posed it to contagious tropical diseases. In August of this year the yellow fever made its appearance in the India street section of the town, and during that month and the next, thirty-six persons died with it. Doubtless with a view of guarding against such visitations in the future the general assembly passed a law relating to drainage and the assessment upon abutting owners in Providence. Public meetings were held during the year in Providence and other towns in the interest of a constitutional convention. In a Fourth of July oration at Providence, Colonel George R. Burrill, a prominent Federalist leader, made an elaborate argument in favor of the formation of a constitution. At the October session of the general assembly, a proposition to call a constitutional convention was negatived by a large majority. Elisha R. Potter, of South Kingstown, who was elected to Congress in 1796, resigned in July, 1797, and Thomas Tillinghast, Republican, was elected in his place by 53 majority.<sup>1</sup> This was the first victory in the state for the anti-Federalists, who now called themselves Republicans, of which we have any record. At the regular congressional election in August, 1798, Tillinghast was defeated for re-election, he receiving but 1,415 votes to 2,836 and 2,680 given respectively to the Federal candidates, C. F. Champlin and John Brown.<sup>2</sup>

At the annual town meeting in Providence, April 21, 1798, patriotic resolutions were adopted respecting troubles with France that had arisen from the capture of American merchant vessels on the high seas by the war vessels and privateers of the French republic. The resolutions were forwarded to President Adams. At the June session this year, the towns of Providence, Tiverton, North and South Kingstown, Barrington, East Greenwich and Coventry, having neglected to assess the state tax ordered in June, 1796, the general treasurer was directed to issue executions against the delinquents ten days after the rising of the assembly. This brought the protesting towns to terms. They assessed the tax, but Providence was for many years thereafter (and several other towns as well) very tardy in the collection of the state tax, while Newport constantly exhibited a clean record in this respect. To soften the peremptory course adopted against the delinquent towns, however, a committee was appointed at the October session, the same year, to examine the general estimate of valuation. The committee reported, at a subsequent session, that the estimate was a just and equitable one.

<sup>1</sup> *Providence Gazette*, November 4, 1797. There are no official records of this election. The Federalists had presented the name of James Burrill, jr., of Providence, as Mr. Potter's successor. The Republicans, according to the statement of a correspondent in the *Providence Gazette* of August 5, 1796, opposed Mr. Burrill, on the ground that he was a lawyer. At the election, August 29, Mr. Burrill received 180 majority in Providence, but the country towns are supposed to have generally supported Tillinghast.

<sup>2</sup> One of the famous "Four Brothers", descended from Chad Brown, an associate of Roger Williams.

At the June session of the general assembly in 1799, a resolution presented by John Smith of Providence, for calling a convention of delegates, elected on the basis of one delegate for each thousand inhabitants, for the purpose of forming a state constitution, received its quietus in the house by the adoption of the previous question, by a rising vote. At the October session, the house voted—50 to 9—against exempting members of the Friends denomination from military duties. An act to establish free schools passed the house at this session, but was held up by the senate until the next February session, when it concurred. The assembly also adopted resolutions favoring direct taxation to defray national expenses, and requesting the state's representatives in the two houses of Congress to use their best efforts to secure the adoption of such a system. The term "Senators" was used for the first time in May of this year to designate members of the upper house. Fort Adams, the largest fortification in the United States, with one exception, was dedicated on July 4 of this year.

A proposition to divide the town of Glocester, which had been brewing for some years, was negatived by a vote of 39 to 19 at the March session of the general assembly in 1800. In answer to a resolution of the Vermont legislature in favor of the proposed constitutional amendment to designate separately candidates for President and Vice-President, the assembly, at the June session, declined to concur with Vermont's action, and expressed the opinion that such a change would decrease the power and influence of the small states. Providence having again been visited by the yellow fever this year, the general assembly in October adopted a resolution requesting Rhode Island senators and representatives in Congress to use their best efforts to procure the establishment of a hospital within the borders of the state for the use of ships of war arriving in Rhode Island waters with cases of contagious diseases on board.

The presidential election of 1800 appears to have been the first time in which the two great parties were clearly arrayed against each other in Rhode Island. As the time approached for the choice of electors, the Federal newspapers of the state contained lengthy communications warning voters against the dangers which would result from a triumph of the "Jacobins"<sup>1</sup> at the polls. Jefferson was denounced as a man who wished to subordinate the interests of his country to those of France, and as an infidel. At the same time the electors were exhorted to vote for the Adams electors because of their high character and ability. At the election the declared totals were: Adams, 1,941; Jefferson, 1,642.<sup>2</sup> Providence gave Adams 512, Jeffer-

<sup>1</sup> The Federalists at this time called the Republicans "Jacobins", or "Democrats."

<sup>2</sup> From some towns only the majorities were reported. Some very interesting letters concerning Rhode Island's attitude on national politics at this time are printed in Mason, *Reminiscences of Newport*, p. 108.



son 56. Jefferson, however, carried Newport, he receiving 217, and Adams 211 votes. At the congressional election in August, Thomas Tillinghast, Republican, was elected, while there was no choice for the other representative. At a special election in April, 1801, Joseph Stanton, jr., Republican, was elected by a vote of 2,292 to 1,443 for Thomas Noyes, Federalist.

At the February session of the general assembly in 1801, the populous village of Pawtucket, in the town of North Providence, was created a fire district with authority to tax its inhabitants for purposes of protection against fire, independent of the town. A curious feature of the act was a provision, authorizing the taxation of houses and furniture at double or more than the rates levied upon land. In June certain portions of the free school law were suspended, and a committee was appointed to examine the act and recommend such changes as they might think expedient. While Jefferson's inaugural message seemed to modify somewhat the opinion in which he was held in Federal circles, it was evident from the phrasing of the toasts at the Fourth of July celebration in Providence, in 1801, that he was still distrusted. At that time, and for many years afterwards, a toast was always drunk to the memory of Washington, and ex-President Adams was warmly toasted throughout Rhode Island for several years. On this occasion a toast was drunk to the President of the United States, but it was in the form of a desire that he might prove true to the constitution and the country. At the annual state election of this year six Republican representatives to the general assembly were elected in place of Federalists in the town of Newport.

A resolution was adopted by the assembly in February, 1802, limiting the time for presenting vouchers of State indebtedness to January 1, 1803. At the congressional election in August, Joseph Stanton and Nehemiah Knight, Republicans, were both elected by nearly a thousand majority over the "Federal Republican" candidates, Elisha R. Potter and Thomas Tillinghast. Providence, however, gave the Federal candidates 282 votes to 78 for the Republicans. An attempt was made this year on the part of the Federalists to defeat Governor Fenner, who had voted for Jefferson in 1800. They supported William Greene of Warwick, who had been governor of the state from 1778 to 1786. Governor Fenner, however, won at the polls by a vote of 3,802 to 1,934 for Greene.

Considerable excitement was created in Newport in the autumn of 1802 by certain developments, growing out of two forged letters which had been sent to President Jefferson in 1801, and to which the name of Nicholas Geffroy, a Newport watchmaker of foreign birth, had been affixed. A Newport newspaper, the Rhode Island Republican, of September 18, 1802, published these letters—which urged the President to turn out all Federal officeholders, to order work on the forti-



fications discontinued, etc.—and charged John Rutlege, a Federalist congressman from South Carolina, who resided summers at Newport, with being the author of the letters. It appeared that Christopher Ellery of Newport, who had been elected to the United States senate in May, 1801, and Postmaster Richardson and his son, the assistant postmaster at Newport, all Republicans, were Mr. Rutlege's accusers. Mr. Farnsworth, the editor of the Republican, invited the public to call at his office and compare the letters with other specimens of Mr. Rutlege's handwriting. Certain of the accused congressmen's political and personal friends who examined the letters, made affidavits in his favor, while the Republicans who inspected them were sure of his guilt. The Newport Mercury came to his defense, as did the Providence Gazette. Senator Ellery was charged by the Federalists with being the real author of the letters, and on October 25, as Mr. Rutlege was about to depart to his home in Charleston, he was given a letter of confidence, signed by over a hundred of the citizens of the town, who were presumably Federalists. Mr. Rutlege, who had served three terms in Congress, failed of re-election, his term expiring on March 4, 1803. During the winter session of 1802-3, Rutlege sent a challenge to Senator Ellery, who declined to meet him. Thereupon Rutlege threatened to obtain satisfaction in some other manner. During the Christmas holidays, both gentlemen happened to meet at an inn in the country, and Rutlege attacked Ellery with a cane. In the scuffle which ensued the Rhode Islander proved himself the stronger man, but instead of punishing his assailant, he appealed to the innkeeper for protection. The fact that the South Carolinian was surrounded by personal friends, while he was alone, may have caused him to stay his hand, but the Federalist papers published articles reflecting upon his courage.

Pamphlets were published on both sides regarding this affair. That of Duane, the well-known publisher of the "Aurora", gave an exhaustive analysis of the whole matter, and was remarkably free from personalities, at a time when vituperation was considered the strongest argument. It alleged that anonymous letters in the same disguised handwriting of the forged letters had been sent to the "Aurora" during or immediately after the congressional sessions at Philadelphia in the winters of 1797, 1798 and 1799, which from the secrets divulged by them must have been written by a member of Congress; that these letters, and the forged ones contained certain peculiarities of punctuation, phraseology and construction that were common to Rutlege's acknowledged handwriting; that the forged letters were written on an imported paper, not then known in Rhode Island, but which had been delivered out to members of Congress in December, 1800; that Senator Ellery had never been out of New England when the letters were writ-

ten, and could not have had any of the congressional paper in his possession; that certain expressions used in the letters proved the writer to be a southerner; that Postmaster Richardson was previously knowing to Rutlege's having sent an anonymous letter to Elbridge Gerry, in the same disguised hand, and that he had good evidence of his sending a communication under an assumed name in the same hand to Callender, the publisher of the Richmond Recorder, which paper soon after receiving it, savagely attacked President Jefferson; that the postmaster and his son had informed Senator Ellery of the facts at the time of their occurrence, and that the three had not made the matter public until a year afterward, and only then because they believed public interests demanded the exposure. Rutlege, on his part, issued a pamphlet, in which he only met the most damaging charges by a general denial, by affidavits of a negative character, and by personal attacks upon Senator Ellery, the Richardsons and Farnsworth, the publisher of the Republican. A private letter addressed to Congressman Champlin, and now in possession of the Rhode Island Historical Society, which was written by Rutlege just before he issued his pamphlet, shows him in an unfavorable light. In it, he asks Champlin to obtain, if possible, facts regarding the private life of the Richardsons and Ellery, and he was particularly anxious to have a copy of the "epitaph" which Ellery "had inserted on his father's tomb", and anything in Mr. Champlin's knowledge which would prove his "atheism".<sup>1</sup> The direct and circumstantial evidence against Rutlege was weighty, and his cause does not seem to have been strengthened by his personal attacks upon the private character of his accusers.

The free school act was repealed by the general assembly in 1803. At the October session of this year, upon the petition of one Jacob Burke, who had been convicted of the crime of rape and sentenced to death, a resolution was passed commuting his sentence to perpetual banishment. By the terms of the resolution he must find security in \$10,000 that he would leave the state and sail for Germany at his own expense within a specified time, and if he ever returned, the original sentence was to be enforced. At the May session in 1804, another petition from Burke asked to be relieved from the obligation to furnish surety. This was granted, and the time for his departure was extended to November 1, 1804, by which time he was supposed to have managed to get out of the country. It was customary a century ago to release prisoners for various offenses upon their promising to leave the country, a favorite method of getting rid of undesirable characters being to require them to ship on a whaling vessel.

The presidential campaign in 1804 was hotly contested. The Re-

<sup>1</sup> From the "Mason Papers" in the R. I. Hist. Soc. Lib'y.

publicans now had newspaper organs in both Providence and Newport, and personalities and abuse, which constituted the greater portion of the political arguments of the time, were freely exchanged between them and the Federalist newspapers. Jefferson carried the state, almost by default, in November. There is no record of the total vote, but the Providence Gazette stated that its town had endorsed the Democratic electors, but that only 120 votes were given out of a total of between 700 and 800. In the August previous, Messrs. Stanton and Knight, the Republican candidates, were elected to Congress without opposition.

Both Governor Fenner and Lieutenant-Governor Mumford died during the year 1805. Governor Fenner had been in feeble health for some time, and the assembly passed a special act in June, 1804, authorizing Lieutenant-Governor Mumford to perform the duties of chief executive temporarily. Although neither was physically fit for his duties, both were re-elected in April, 1805, and after their deaths Henry Smith, the first senator, officiated as Governor. The Federalists made some gains in the general assembly this year. At the April election, Newport, which had sent solid Republican delegations to the house for several sessions, returned three Republicans and three Federalists, but in August a full Federalist delegation was elected. Rhode Island being largely interested in ocean commerce, was a constant sufferer from the depredations of the rival belligerents, and because of the impressment of her sailor-citizens on British vessels, British sailors were constantly deserting from their war vessels, and shipping upon American merchantmen. Britain's naval commanders would stop American vessels upon the high seas, and take out any seaman they believed to be a British subject, and if they were short of men, often impressed sailors who were unable, on the spot, to prove their American citizenship. When these high-handed proceedings were brought to the attention of the British government, and the American citizenship of the impressed sailors was clearly proven, they were discharged; but this was a slow and difficult process, and the "sea power" of Britain, which bore so potential a part in the overthrow of the great conqueror who aimed at universal dominion, was sustained in no small degree by the enforced aid of American tars. In the autumn of 1805, Rhode Island newspapers contained the names of seventeen Rhode Island seamen who were detained on British naval vessels because of the want of documents to prove their citizenship. The loss of property from the seizure of vessels and cargoes was also acutely felt in the state. At a meeting of the merchants of Providence, on December 11, 1805, a committee of six leading citizens was selected to collect and transmit to Secretary of State Madison a list of vessels belonging to or insured in Providence, which had been captured, detained, condemned

or plundered, by the national ships, privateers, or any of the armed vessels of the belligerent powers.

The Republican party divided its forces in the April election in 1806 and there was no choice for governor. The totals, as reported, and which probably represented majorities in some cases, gave Richard Jackson, jr., the Federalist candidate, 1,662; Henry Smith, 1,097; and Peleg Arnold, 1,094. Providence, as usual, gave the Federalist candidates large majorities. The Federalists controlled the house and elected Elisha R. Potter speaker. George R. Burrill of Providence moved in the house that Richard Jackson, jr., be declared Governor, since he had received a large plurality of the votes cast, since the charter required a choice to be made, and since in 1780 the assembly had elected a delegate to Congress by a plurality vote. James De Wolfe of Bristol spoke in opposition, and the motion failed, the vote standing 16 to 52.

Isaac Wilbour of Little Compton, a Republican, who had been elected Lieutenant-Governor, performed the duties of Governor during that political year. A number of the towns had instructed their representatives to endeavor to secure the passage of a resolution ordering a convention to form a state constitution, but although the question was brought up at the June session, nothing was done regarding it. At the congressional election in August, 1806, Nehemiah Knight, Republican, received a majority of all the votes cast. A special election was held in December for the other representative, and Isaac Wilbour was chosen by 1,720 votes to 1,220 for William Hunter, Federalist. The latter carried Providence by 200 majority. In this same year, 1806, the town of Burrillville was formed from the northerly portion of the town of Glocester.

At the February session in 1807, the assembly, after considerable opposition on the part of the Federalist members of the house, adopted an address to President Jefferson, inviting him to accept a nomination for President for the third time. James Fenner, a son of the late Governor, had been elected to the United States senate in 1804, in place of Christopher Ellery. The Republicans persuaded him to accept the nomination for Governor in 1807, and he was elected by a vote of 2,564 to 1,268 for Seth Wheaton, Federalist. The Federalists, who in the years immediately following endorsed his candidacy for re-election, terming him a Federal Republican, do not seem to have opposed him in the first instance, and he actually carried Providence by a vote of 177 to 122 for Wheaton. There seemed to be a little friction in the Republican ranks about this time, Fenner and ex-Senator Ellery apparently representing the two extremes. Ellery was a resident of Newport, and that town gave Wheaton 16 majority over Fenner for Governor. In June of this year, Attorney-General James Burrill, jr., and his brother, George R. Burrill, were appointed a

committee, by vote of the general assembly, to prepare a law for the relief of insolvent debtors and for the trial and decision of the petitions of such debtors.

The two parties ran a joint ticket for state officers in April, 1808, with Fenner for Governor, and Simeon Martin, a Federalist, for Lieutenant-Governor. In August the Federalists carried the general assembly, and as a consequence Francis Malbone was elected United States senator in November by six majority. At the congressional election in August, Elisha R. Potter and Richard Jackson, jr., the Federalist candidates, were elected by more than 300 majority over Jonathan Russell and Isaac Wilbour, the Republican nominees, and in November the state chose Pinckney electors by a vote of 3,072 to 2,692 for the Madison ticket. Providence gave the former 540 votes and the latter 131. Newport cast 215 Madison and 264 Pinckney votes. At a town meeting held in Providence on August 9 of this year, a committee of leading citizens was selected to draft a petition to President Jefferson to suspend the embargo so far as it related to Spain and Portugal and their dependencies. At the June session the assembly requested Governor Fenner to notify the secretary of war of the defenseless condition of the state, and ask for the erection of suitable buildings to preserve the cannon from injury.

Town meetings were held in Providence and several other towns of the state early in 1809 to secure protection against the embargo.<sup>1</sup> The petitions, memorials and resolves adopted at these meetings were presented to the general assembly, a joint committee of which was appointed to draft a memorial to Congress. In consequence of the developments regarding the Farmers' Exchange Bank of Glocester, a law was enacted requiring banks and insurance companies thereafter to make annual reports to the assembly. There was no opposition to Governor Fenner's re-election this year, but the Republicans nominated Isaac Wilbour in opposition to Lieutenant-Governor Simeon Martin. The latter, however, was re-elected by 644 majority, Providence contributing 352 and Newport 126 of that total. The Federalists obtained control of the assembly at this election, having 47 of the 72 members of the house. In the fall of 1809 the Republicans started a Tammany society in Providence, and early the next year societies, or rather "tribes", as they called themselves, were started in Newport and Warwick, and rapidly increased in membership.<sup>2</sup> This organization was believed to have had great influence in bringing the Fenner and Ellery factions of the Republican party together in the spring of 1810. The Federalists, or "Federal Republicans", as they called

<sup>1</sup> For the address from the town of Providence, presented by William Jones, see *Narr. Hist. Reg.* vii, 885.

<sup>2</sup> See Jernegan, "The Tammany Societies of Rhode Island" in *Brown Univ. Hist. Sem. Papers*, No. 8.



themselves, nominated Fenner and Martin for re-election. Their ticket was known as the "American Union Prox", while they called that of their opponents the "Tammany Prox". Governor Fenner, who headed both tickets, came out in a card a few days before election, denying a rumor that he was a Federalist, and affirming that he was then and always had been a Republican. It was too late for the Federalists to change their ticket, and Fenner was elected without opposition, but they crossed his name off from their party books. The Republican Prox, with Isaac Wilbour as candidate for Lieutenant-Governor, won at the polls by an average majority of 206. The Republican vote in Providence advanced from 97 of the year previous to 152, and the Federalist vote from 449 to 489. The sentiments of a community can often be judged by those expressed on convivial occasions. At the celebration of Washington's birthday in Providence this year, an occasion which was participated in by a large concourse of citizens, "accompanied by the reverend clergy", Madison was toasted in these terms: "The President, may the condemning shade of Washington admonish and reclaim him."

The Republicans elected a majority of both houses in April, 1810, and Nathaniel Hazard of Newport was elected to the speakership of the house over William Jones of Providence, the Federalist candidate, who had held the office two terms. But at the semi-annual election for representatives in August, the Federalists obtained a small majority, and William Jones was reinstated as presiding officer in October. The term of Elisha Mathewson as United States senator expired March 4, 1811, and the two houses of the general assembly, on November 2, 1810, met in grand committee, with Governor Fenner in the chair, to elect his successor. The contest was between Jeremiah B. Howell, the first senator, and James Burrill, jr., the attorney-general of the state, the Federalist candidate. The two parties appear to have been evenly balanced, each having 41 votes, without taking the governor into account. But Governor Fenner, without waiting for the announcement of the vote, and then casting his vote to break the tie, voted as a member of the grand committee for Howell. His election was thus assured, the ballot resulting in 42 votes for Howell and 41 for Burrill. The Federalists were quite indignant at the Governor's action, and also blamed Howell for voting for himself, and the house by a majority of five passed a resolution censuring Governor Fenner for his unusual course.

In February, 1811, a bill granting to all male citizens who were rated for either a poll or a property tax, or who served in the militia, a right to vote for general officers and town representatives, passed the senate with only two dissenting votes. When it reached the house, according to a Republican newspaper,<sup>1</sup> the leading Federalists, several

<sup>1</sup> The *Providence Phoenix*.



of whom were lawyers, held an informal caucus, and decided to insist that the advocates of the bill, most of whom were farmers and unaccustomed to speechmaking, should give their reasons for favoring it. This was done, but the farmers were reinforced by James De Wolfe of Bristol.<sup>1</sup> The weight of eloquence, however, if not of argument, was with the Federalists. After William Hunter, the Federalist leader in the house, and Messrs. Bridgham and Mason of Providence and Totten of Richmond had spoken against it, it was postponed by a vote of 39 to 19. The "yea" vote represented the full Federalist strength, and, as the Republicans had 33 members in the house, they do not seem to have been unanimously in favor of the bill. During the consideration of this bill a petition, presented by Mr. De Wolfe of Bristol, asked for a better enforcement of the law regarding freeholders. It called attention to the fact that 122 new voters had been "propounded" at Providence during a short time, an increase which the petitioners evidently believed to have been largely due to fraud. Providence was a growing town. It was now considerably larger than Newport, and was the third town in New England, and the ninth in the country. Its valuation, according to the state estimate, was more than double that of Newport, and the latter and the country towns were already watching it with jealous eyes, lest it gain more than its due from legislation. The Republican papers claimed that the political overturn which took place this year (1811) was entirely owing to the increased Federalist vote in Providence, and they charged the Federalists with fraudulent practices in creating new voters. The Federalists were through with Governor Fenner. They nominated Speaker William Jones of Providence for Governor. After supporting Fenner for four years they had discovered that he was unfit for office. William Jones, they said, was a worthy citizen; he was a veteran of the Revolution, and a regular attendant upon divine service, while the candidate of the "Jacobins" (Fenner) only attended on Thanksgiving day. The arguments of the Republicans were equally shallow. They denounced the opposing candidate as "a haberdasher of British hardware", probably in allusion to the fact that he kept imported goods in his Providence store. Jones was elected by only 172 majority in the largest vote (7,508) ever polled up to that time. The Federalists increased their vote in Providence from 489 to 679, while that of the Republicans had fallen from 152 to 147. The Federalists also secured control in the legislature, their majority in the house being eight.<sup>2</sup>

<sup>1</sup> James De Wolfe (1763-1837) was speaker of the house from May, 1819, to February, 1821, when he resigned to take his seat in the United States senate. He succeeded William Hunter (1774-1849), who was speaker of the house from May, 1811, to February, 1812, and United States senator from December, 1811, till March 4, 1821.

<sup>2</sup> For a somewhat detailed account of political conditions in Rhode Island up

## CHAPTER XVIII.

### THE PERIOD FROM 1812 TO 1830.

The Republicans tried conclusions with their opponents again in 1812, but the people of the state, especially those who had shipping and commercial interests, were great sufferers from the embargo and non-intercourse policy of Madison's administration, and were alarmed at the prospect of war with Great Britain.<sup>1</sup> At a large meeting of young men, held in the state house in Providence, just before election, strong resolutions were passed, denouncing the approaching war, and recommending the support of the Federalist ticket. The latter won by an increased majority. At the May session a joint committee of the general assembly was appointed to voice the latter's sentiments regarding public affairs, to draw up a statement concerning the exposed condition of the coast, and to recommend instructions to Rhode Island members of Congress. In accordance with the report of this committee, the assembly adopted a resolution, opposing a declaration of war against Great Britain, and requested the senators of the state in Congress to endeavor to secure the removal of restrictions on commerce. At the July session a council of war of six leading citizens of the state was elected to confer with and advise Governor Jones. A petition, adopted at a meeting of freeholders in Providence, and presented at the October session, prayed for the enactment of a law forbidding the "distillation of grain into spirituous liquors". The house negatived the proposition by a decisive vote, but Speaker Mason, of Providence, who seems to have been largely interested in a distillery, was declared by a Republican newspaper to have indignantly asked if

to this period, see S. H. Allen's "Federal Ascendency in 1812" in *Narr. Hist. Reg.* vii, 381.

<sup>1</sup> The sentiment in Rhode Island, to quote the words of Benjamin Cowell, was that "a British war is unnecessary as it would be unjust". (See his anonymous *Letter to a Member of Congress on the Subject of a British War*, p. 32.) The Rhode Island representatives in Congress, Richard Jackson and E. R. Potter, addressed their constituents with a pamphlet, dated March 16, 1812, in which they urged them to cast off all party lines and vote against those favoring such measures.

he was to be allowed to conduct his own business, or if he was to be hampered by restrictive legislation.<sup>1</sup>

When news of the declaration of war reached Providence, bells were tolled, stores closed, and flags half-masted. The Providence Gazette of June 27, 1812, in commenting upon the report of the committee on foreign relations recommending war, declared that "they reported in several heavy columns their malignant, hostile manifesto against Great Britain, and with gigantic strides and ostentatious swellings, had thrown down the gauntlet of defiance to John Bull, in favor of the atrocious murderer and incendiary Napoleon Bonaparte". It declared the action of Congress "a work of darkness". "We are now", it said, "to contend against an oppressed nation gloriously struggling for the preservation of its liberties". Although the supporters of the national administration still constituted a strong minority, public opinion in the state was generally opposed to war. On the night of July 20 a small schooner which was being fitted out in Providence for a privateer, was taken down the river and scuttled.

At the presidential election in November, the Madison ticket received only 2,084 votes to 4,032 for DeWitt Clinton, the Federalist candidate. In the August previous, Richard Jackson, jr., and Elisha R. Potter, the Federalist candidates, were elected to Congress over Jonathan Russell and Isaac Wilbour, by about 1,300 majority.

A committee was appointed at the February session of the general assembly in 1813 to consider whether any violation of the compact by which Rhode Island had accepted the Federal constitution had occurred. In messages to the assembly, Governor Jones discussed the state's relations to the Federal government, and stated that, in accordance with the advice of the council of war, he had determined that the final authority as to the use of the state's militia outside of its borders rested with him and not with the President. The 500 men whom President Madison required as the state's quota, were, however, drafted and dispatched outside of the state upon Madison's requisition.<sup>2</sup> The Governor delivered messages on the subject at each session. The burden of them was that the country had been egged on to an unjust war, a war especially detrimental to Rhode Island's interests; that the coast of the state was in a defenseless condition; that the general government had removed the garrisons from the Newport forts, and had invited

<sup>1</sup> James B. Mason was speaker of the house from 1812 to 1814, and was elected representative to Congress in 1814 and 1816. He owned a gin distillery building at India Point, Providence, which was carried on during Mason's political career by Darius Sessions.

<sup>2</sup> For Rhode Island's participation in the War of 1812, see the bibliography at the end of the last volume, under HISTORY 1790-1840; also chapter on "The Wars and the Militia." For Commodore Perry's victory at Lake Erie, Sept 10, 1813, see the bibliography under BIOGRAPHY. See also chapter on "The Sea Force in War Time.

the state to garrison them with state troops, but required the latter to accept the commands of a regular army officer. A memorial to the President, demanding the protection of the Federal government was adopted, and a resolution was passed, instructing the Governor to employ patrols to guard against surprise by the enemy. A committee was appointed at the June session to collect evidence regarding Rhode Island seamen detained against their wishes in the service of foreign powers, and to take the most efficient measures to secure their release. The committee's report, rendered at the June session, showed that the impressed seamen were 19 in number. No opposition was made to the Federal state ticket—which was known as the "Peace Prox."

In his message to the general assembly in February, 1814, Governor Jones used extremely strong language in denouncing the action of the Federal government. The reverses which had occurred to our arms were apparently a just retribution, caused by an all-wise Providence because of the wickedness of the administration in bringing on an unjust war. "We should, however", the Governor said, "indulge the hope that our national rulers will remember that there is a point at which oppression must stop, and that, notwithstanding our respect for the laws and our strong attachment to the union of the states, there may be evils greater than can be apprehended from a refusal to submit to unconstitutional laws". This was a thinly veiled threat of secession. The state joined with Massachusetts and Connecticut, two counties of New Hampshire and one county of Vermont in holding the Hartford convention.<sup>1</sup> At the September session, Governor Jones was authorized to borrow \$100,000 for the purpose of providing clothes and other necessities for the state troops in the service of the general government, and he was requested to order the militia to march to the relief of a neighboring state, in case of the invasion of the latter's territory.

The Republican minority in the state criticised the state government because it did not assume the direct taxes assessed against the state, as it could, they claimed, have obtained a rebate. The freemen of Little Compton sent in a petition at the March session requesting such action, but the Federalists claimed that the direct tax law was unconstitutional, and refused to recognize it. The Federalist watchword, which accompanied its "Peace Prox" in April, of this year, was "No war; no direct taxes to support it; but Jones, peace, and freetrade together". The Republicans again allowed the election to go by default. They seemed to derive some consolation, however, from the fact that Governor Jones's vote was growing smaller each year, a circumstance

<sup>1</sup> Rhode Island's delegates were Benjamin Hazard, Daniel Lyman, Edward Manton, and Samuel Ward. The proceedings of the convention were published in 1833 in Dwight's *History of the Hartford Convention*.

which was, of course, attributable to the lack of opposition. At the congressional election in August, the Federalist candidates, James B. Mason and John L. Boss, jr., were elected by seven or eight hundred majority in a full vote.

At the February session of the general assembly in 1815, Governor Jones reported that the state had advanced the money to pay for clothing and other needful articles for Major Wood's battalion of Rhode Island soldiers in the United States service, and that the state also had advanced the money to pay that command a portion of the money due its soldiers upon the assurance of the United States authorities that the sum would be refunded. The Governor laid before the assembly the proceedings of the Hartford convention and commended its action. The Governor's council of war was continued through the year.<sup>1</sup>

The Republicans held a convention of delegates from the several towns, and nominated Peleg Arnold for Governor in opposition to Governor Jones. The latter was re-elected, however, by a decisive majority, although the total vote was only 5,960. The Federalist majority in the house was 26. In November, 1815, the cotton manufacturers of Rhode Island sent a memorial to Congress asking for more protection.

The two parties had another trial of strength in April, 1816. Jeremiah Thurston of Hopkinton was placed on the ticket as their candidate for Lieutenant-Governor by the Federalists. The Republicans nominated Nehemiah R. Knight, then clerk of the United States Circuit Court, for Governor. The campaign was fought upon war issues. The Republicans accused their opponents of disloyalty, while the Federalists, in their appeal to the people, commended Governor Jones for having refused to obey the President's call for troops. Governor Jones received 3,591 votes, and was elected by 332 majority—452 less than the year before. The Federalist strength in the house was somewhat less than usual, although it was still double that of their opponents. The leaders of the party, however, were sensible of the fact that their unpatriotic course during the war was a dead weight and must soon put them in the minority. Senator Howell's term in the United States senate was to expire on the 4th of the next March. It had always been customary to elect senators at the October session preceding the 4th of March when their term was to commence. Had the Federalists waited in this instance until October, they would have had to take the chance of defeat at the semi-annual election of house members in August. They had obtained an unquestioned majority in the grand committee. Still

<sup>1</sup> It was on September 23 of this year that the famous gale of 1815 occurred, causing tremendous damage throughout the state. (For accounts of this gale see *R. I. H. S. Publ.* ii, 202, 232.)

it was less than they had had since 1811, and they knew that the August election might go against them. Therefore they decided to hold the election in June, and thus make sure of the choice of a Federalist. They carried the house on a motion to go into grand committee for the purpose by a vote of 40 to 20. Then, in balloting for senator, the Republicans abstained from voting, and the Federalist candidate, James Burrill, jr., was elected unanimously. The Republicans made a great outcry over the affair, insisting that it was an act of usurpation. The Federalist defense was rather weak, and finally, to silence criticism, Judge Burrill, at the February session in 1817, sent in his resignation. The August house was nearly as strongly Federal as its predecessor, and Mr. Burrill did not risk much in resigning, for he was immediately re-elected, the Republicans, as on his previous election, abstaining from voting. The Federalists made no nominations for presidential electors in 1816, and the electoral vote of the state was cast for Monroe, the Republican candidate.

In view of the fact that no opposition had been made to Monroe in the previous November, the Federalists claimed that the Republicans ought not to oppose the Jones ticket in April, 1817, but the Republicans thought, that if it was a question of courtesy, the fact that they had not opposed the Federalist candidates for Congress in August, 1816, was a fair offset to the action, or non-action of their opponents in November. They again nominated Knight and Wilcox, and a warm campaign ensued. Political rallies were seldom held in the early days of the century. The issues of the day were generally explained by political pamphlets, or through the medium of the newspapers. During Washington's and Adams's administrations, when the Federalists experienced but little opposition in the state, the Governor and other state officers and Federalist leaders in the assembly were accustomed to hold an informal caucus at the February session, and decide upon the party "prox" to be supported at the state election in April. These caucuses were probably as representative of party sentiments as have been delegate conventions of a later date, but after the Republicans became strong, they often had a majority or a strong minority of the general assembly. At such times the legislative caucus was not sufficiently representative, and prominent Federalists not then members of the assembly were invited to meet in caucus with the Federalist assemblymen. The Republican caucuses were necessarily more democratic from the first, because the larger portion of the towns were represented by their opponents, and because many of their ablest leaders resided in towns that invariably sent Federalists to the assembly. Republicans in towns unrepresented by Republican members of the assembly were invited to send delegates to the Republican conventions, and thus the conventions of that party gradually became delegate conventions, while those of their opponents in time became in a certain sense mass



conventions, attended by leading members of their party. It is easy to understand, however, that as the general assembly was usually in session about the last of February, and as it contained a large proportion of the politicians of both parties, the town where it was then in session, and the state house itself were the most convenient places in which to hold these political conventions, and that they were, in fact, if not in name, largely in the nature of legislative caucuses.

When the opposing "proxies" were fairly launched, the party papers were filled with long political essays in the form of communications, setting forth the political issues as the writers understood them, in which personal abuse of the candidates of the opposite party appeared to be considered the most weighty arguments. The Federalists, during the time of the French Revolution and of the Bonaparte era which was its outcome, were accustomed to bestow the terms of "Jacobins" and "Democrats" upon their opponents; while the Republicans called the Federalists "Tories", "Monarchists" and "Aristocrats". For a few years, however, previous to 1817, the term "Jacobin" had gradually been falling into disuse on the part of their opponents, who had shown a desire to usurp the name of Republican by occasionally calling themselves "Federal Republicans". In the campaign which preceded the state election of 1817 there was a noticeable difference in their newspaper arguments from those of the previous year. They had lost the aggressive feature. Instead of commending Governor Jones for refusing to allow the militia to be marched outside the state, they sought now to defend his action. He thought that he was doing his duty; it was best for the state after all; and his action had really saved the state much expense at a time when it was hard for the people to pay their taxes; he had labored conscientiously for the best interests of his state. By such arguments they sought to defend and palliate conduct which their opponents declared was disloyal.<sup>1</sup> The Republican ticket was triumphant in a total vote of 7,830 by an average majority of less than 70. The Republicans cast 229 votes in Providence, which was 20 per cent. larger than their highest previous total, while Jones's vote in the town (544) was smaller than in 1816. A disagreeable incident occurred at Newport on election (inauguration) day, which led to a court martial of a militia officer and an exchange of compliments between the party organs. According to the usual custom regular troops had been sent from Fort Wolcott to participate in the parade, and the band of the fort was also loaned for the occasion. The latter marched to the

<sup>1</sup> This election gave rise to a well written electioneering pamphlet, addressed by a "Citizen" of Warwick *To the Freemen of the State of Rhode Island*, in which the author defends Governor Jones, and told his readers: "If you elect Mr. Knight and his friends, you elect many of the hirelings and tax-gatherers of a government, which, by its misconduct the last twelve years, has brought the country to a state of mourning and misery."

wharf to greet the Providence boat on its arrival. The band was placed under the orders of Captain Robert B. Cranston, a local militia officer who appeared to be acting, although in an unofficial capacity, as a master of ceremonies at that point. As the boat was tying at the wharf, Cranston called for some marches with which the band was unfamiliar. Thereupon, just as Governor Jones was stepping ashore, Cranston ordered the band to play the "Retreat". Although he soon had it changed to "Yankee Doodle", Governor Jones interpreted the affair as an intentional insult. He was still the captain-general and commander-in-chief of the militia, and as such demanded the respect and obedience of militia officers. Cranston disclaimed any intention of insulting his excellency, and the Republicans generally made light of the affair. But the Federalists still had a majority in the house, and at the following June session, a joint resolution was adopted ordering a committee of inquiry to consider the case. The committee, which was composed of members of both parties, declared Cranston's conduct "highly improper, and derogatory to the dignity and honor of the state". A court martial was convened, but it decided that it had no jurisdiction, as the accused officer was not on duty and was in civilian's clothes at the time.<sup>1</sup>

President Monroe made a northern tour in the summer of 1817. He reached Newport June 29, and the next day went to Fall River, and from there to Bristol. The steamer "Fire Fly" conveyed him from the latter place to Providence, where he arrived in the evening. The next day, after visiting points of interest in the town, and seeing the "original cotton mill" at Pawtucket, he proceeded on his way to Boston. The citizens and officials, generally without distinction of party, united in doing honor to the Chief Magistrate of the nation. He was greeted with military and civic parades, the ringing of bells, salutes, illuminations and addresses. That of the town council of Providence, which was supposed to have been written by a prominent Federalist politician,<sup>2</sup> was so cordial and complimentary in its character as to receive the commendation of the Republican local organ, the *Columbian Phoenix*, which seldom praised anything that emanated from a Federalist source. At the June session the senate, in view of the scarcity and high price of grain, passed an act, which was rejected by

<sup>1</sup> The proceedings of the court martial, as officially reported by the judge advocate, were published in 1817. Robert Bennie Cranston (1791-1873), although a Republican at this time, was subsequently found in the Whig ranks. His court martial did not cause him to lose caste in military circles, as he was made a lieutenant-colonel in 1818. Afterwards he was for a time sheriff of Newport county, and in 1837 was elected to Congress as a Whig, and was twice re-elected serving until 1843. In 1847 he was elected for the fourth term. He was afterwards elected mayor of Newport, but declined the office. In his will he bequeathed \$75,000 to those poor of Newport "who were too honest to steal and too proud to beg."

<sup>2</sup> Senator Burrill.

the house, prohibiting its use in the distillation of spirituous liquor between June 30 and September 30 of that year, under penalty of a fine of \$1,000, one-half of which was to go to the informer.<sup>1</sup> In the representative elections in August the Republicans elected 33 and the Federalists 39 members of the house.

At the February session of the assembly in 1818 a resolution was adopted calling for the records, papers and correspondence of the late council of war, and ordering them to be deposited with the secretary of state. The cotton and woolen manufacturers in and near Providence sent a petition to Congress, early in the year, reciting the condition of the two industries, and asking that the duties then existing upon foreign cotton and woolen products be made permanent.

The Republicans renominated Governor Knight and the other state officers in 1818, while their opponents issued a "Union Prox", with ex-Congressman Elisha R. Potter at the head. The Federalists seemed to have but little hope of winning. In their newspaper arguments they carefully abstained from abuse of their opponents and even avoided using the term "Federalist" in speaking of themselves. The total vote cast in this contest was the largest ever given at a gubernatorial election under the charter. Knight received 4,509, and Potter 3,893 votes. The Republicans had two majority in the house, and now controlled both chambers. A proposition introduced at the June session of the assembly to extend the right of suffrage to citizens who were not freeholders, but who paid taxes or served in the militia, was postponed to the next session. The congressional election in August was not contested by the Federalists, Samuel Eddy of Providence, secretary of state, and Nathaniel Hazard, speaker of the house, being chosen. At the October session a committee, appointed to consider and report upon certain recommendations in the Governor's message, reported that it was not prepared to recommend free schooling for persons employed in manufacturing establishments. A committee was appointed at this session to consider and report upon the expediency of amending the act regulating the manner of admitting freemen.

At the February session in 1819 a committee was appointed to consider the advisability of establishing free schools. Mr. Hine of Coventry introduced a resolution in the house requesting freemen, at the annual election in April, to express their opinions regarding the expediency of calling a convention to form a written constitution. On motion of Benjamin Hazard of Newport, the matter was postponed, and a committee was appointed to take the matter into consideration, and also consider and report regarding fraudulent practices at elec-

<sup>1</sup> The fact that the senate was then controlled by the Republicans leads to the suspicion that the advocates of this proposed prohibition measure had Congressman Mason's India Point distillery in mind and that the non-concurrence of the house in the measure was due to its having a Federalist majority.

tions. No opposition was made at the April election to the Republican ticket, although political lines were drawn in the choice of town representatives.

At the February session of the assembly in 1820, George Field of Cranston introduced a bill for the establishment of a free school system throughout the state, which, after a brief discussion, was postponed to a future session in order to obtain the sense of the freemen regarding the matter. A law was passed abolishing the summary process in the collection of debts, which had always been enjoyed by the banks. A bill passed the senate in June to extend the right of suffrage to citizens equipping themselves and serving in the militia. It was postponed by the house. The subject of a constitutional convention was quite generally discussed throughout the state this year. A convention was held in Providence to further such an object. Two of the Federalist semi-weeklies of the town united with the Republican organ in its advocacy, and one of the former<sup>1</sup> declared in an editorial "that a free people have for more than forty years submitted to a species of government, in theory, if not always in practice, as despotic as that of the autocrat of the Russias."

The Federalists made no contest in April, but they tried conclusions with their opponents in August in the congressional election, although they did not come out under their own colors, but hoisted the banner of the "People". They put in nomination, as the People's candidates Samuel W. Bridgham, a leading Federalist, and Job Durfee, of Tiverton. The latter came out in a card in the papers, declaring that his name had been used without his consent, and that he should vote for Messrs. Eddy and Hazard, the Republican candidates. Mr. Eddy had voted to admit Missouri at the late session of Congress, and the Federalists appealed to the anti-slavery sentiment of the people to encompass his defeat. Mr. Hazard, the other representative in Congress, was not very popular, and the Republicans were somewhat fearful of the result. But they feared Bridgham more than they did Durfee. They denounced the former because he was not a native of the State, and because he was a lawyer. The Providence Patriot in an editorial declared, "They (the Federalists) profess to be actuated by the cardinal principles of honesty, integrity and fair dealing, and yet they nominate a practicing lawyer!" One candidate of each party—Eddy and Durfee—were elected. No opposition was encountered by the Monroe candidates for electors, but the vote was very small—only 720 in all, of which Providence cast only 81.

The Republicans had a small majority in the assembly at the October session, and they elected James De Wolfe to the United States senate on November 4, to succeed William Hunter, whose term would expire

<sup>1</sup> The *Manufacturers' and Farmers' Journal*, November 27, 1820.

on March 4, 1821. Some years before, Mr. De Wolfe had been extensively engaged in the slave trade, and when the Federalist journals called attention to this fact, he declared that it had been "many, many years" since he had trafficked in slaves, and that the greater portion of his property had been obtained in honorable employment.<sup>1</sup> Anti-slavery sentiment was very strong in New England at this time, and Senator Smith of South Carolina, in a speech in the winter of 1820-21, undertook to prove the insincerity of Rhode Island antagonism to slavery by showing the interest of the state in the African slave trade. He said that the law against the importation of slaves into his state had been suspended for four years, from 1800 to 1804, inclusive, and that during that time 59 Rhode Island vessels—nearly one-half of the whole number—had entered the port of Charleston with shiploads of African slaves, and of the 59, 10 had been owned by Senator-elect James De Wolfe.<sup>2</sup>

The Rhode Island Society for the Encouragement of Domestic Industry, which subsequently became an important factor in the industrial development of the state, was organized in 1820. It held its first fair in 1821 at Pawtuxet. The census of 1820 gave Providence a population of 11,767, of whom 5,118 were on the west side of the river. Westminster street was already beginning to rival "Cheapside" as a resort for ladies looking for bargains.<sup>3</sup> The rapid growth of the town about this time is shown by a writer in the Providence Gazette of September 5, 1820, who stated that he counted one day one hundred and seven wagons of fruit and vegetables at market, while only six years before the presence of forty-nine such wagons at market was a matter of surprise and remark. This year public lamps were erected at the expense of the town. A fire hook and ladder company was also established.

A resolution was passed at the January session of the general assembly in 1821, requiring town clerks to collect and transmit information regarding schools and the cost of the same in their respective towns. At the same session, Representative Dexter Ford of Providence introduced a resolution which passed both houses to submit the question of calling a constitutional convention to the people at the

<sup>1</sup> The *Providence Gazette* retorted: "More humane, honorable, successful and constitutional business—that of privateering!"

<sup>2</sup> Rhode Island's participation in the slave trade was indeed large. As far back as May 1, 1784, the *Newport Mercury* had admitted, "It is well known that inhabitants of this state have had a greater hand in the slave trade than any other on the continent", and the records show that this reputation was fully sustained during the next twenty-five years. (See Spears, *American Slave Trade*.)

<sup>3</sup> A local news item in the *Manufacturers' and Farmers' Journal* of April 8, 1822, says: "A number of shops have lately been fitted up in superb style for the retail dry goods trade. The pleasant promenade on the north side of the street will probably be more frequented than ever by our belles and beaux."



town meetings in April. All the Providence papers, without distinction of party, favored the convention project, and at the election the town voted 598 to 2 in favor of it. Six other towns of Providence county, the three towns of Bristol county, East Greenwich in Kent county, and Hopkinton in Washington county, also gave majorities in its favor; while Newport county was solid against it, as were Kent and Washington counties—with the single exceptions noted—and three of the towns in Providence county also opposed it. Newport gave 57 votes in favor and 275 against a convention. The total vote was, yeas 1,619, to 1,905 nays. A leading argument in the Providence papers in favor of the project was the inequality of representation existing under the charter, which gave Newport six, Providence, Warwick and Portsmouth four each, and the remaining towns only two representatives. The equalization of the representation under a new constitution would have deprived some of the smaller towns, and Newport as well, of a portion of the representation which they then had, in favor of Providence, Smithfield and other growing towns.

Senator James Burrill, jr., having died on December 25, 1820, Governor Knight called a special session of the general assembly to choose his successor, and was himself unanimously selected for the coveted position. On January 9, 1821, the Republican state convention, which was held soon after, placed William C. Gibbs of Newport in nomination for Governor, with Caleb Earle as the nominee for Lieutenant-Governor. The Federalist party was no longer in existence, but, although this once powerful body had lost many followers by desertion to the party in power, it still constituted a strong minority, ready to renew the fight at a favorable opportunity. An attempt was made this year to form a union ticket in opposition to the Republican Prox. Samuel W. Bridgham was placed at the head of the ticket, with Ezbon Sanford of North Kingstown, a Republican, for Lieutenant-Governor. About half of the candidates selected for the senatorial ticket for this "Union Prox" were also Republicans. Most of the latter, and the nominee for Lieutenant-Governor declined to have their names used on this ticket, and changes had to be made, George W. Tillinghast, of North Kingstown being substituted for Sanford. Gibbs received 3,801 votes, exactly a thousand more than were polled for Bridgham.

In October, 1821, a court martial was held at East Greenwich to try Colonel Leonard Blodget of the Second Regiment, who was charged by Brigadier-General Joseph Hawes with unmilitary and disorderly conduct, neglect of duty, and disobedience of orders. The court-martial, of which Brigadier-General George De Wolf was president, found the accused officer guilty of the charges and specifications, and sentenced him to be "broke". It is not known whether the murder of the King's English, or the injustice done the accused by the sentence had



the greater weight with Major-General Albert C. Greene, the ranking officer of the militia at the time, but he overruled the sentence, and merely suspended the convicted officer from his command for thirty days.<sup>1</sup> While it was generally admitted that the sentence of the court-martial was unduly severe, General Greene met with considerable criticism for assuming authority to overrule the sentence of a court-martial.

This year the "side-walk commissioners" of Providence "commenced their herculean labors of making the rough places smooth and the crooked straight in the foot-ways through the town".<sup>2</sup> The increased expenses of the town, involved in this and other recent public improvements, alarmed some of the older citizens, and at the June town meeting one of the heaviest taxpayers made a motion that the town watch and the street lights be discontinued during the summer months. The motion was negatived.

An act was passed at the January meeting of the general assembly in 1822, forbidding the sale of rum, wine or strong liquor within one mile of any meeting being held for the worship of Almighty God. Another important law enacted at this session imposed a fee upon licensed persons and others, and bodies corporate, which was to be collected by town officers without remuneration and turned over to the state treasurer. After a year or two the towns were allowed two-and-a-half per cent. for making the collections. Another law forbade the running at large of cows in the business portion of Providence between the 10th of November and the 10th of April, except on Sundays, and between 8 at night and sunrise. The constitutional convention question came up again at this session, and the matter was again submitted to the freemen at the April town meetings. The friends of the measure appear to have been discouraged by the adverse vote of the year previous, and it was again defeated, the vote being 843 to 1,804. Providence cast 110 in favor and 26 against a convention. At the June session, ex-Congressman Elisha R. Potter, then a member of the house from South Kingstown, introduced a bill to increase the representation of Providence in the house to seven members and that of Smithfield, South Kingstown, Bristol, Coventry and North Kingstown to three each.<sup>3</sup> The bill by common consent was laid over till the next session, that being then a favorite way of disposing of unpopular measures. ✓

<sup>1</sup> It appears that General Hawes as reviewing officer had exceeded his authority in giving Colonel Blodget orders to march his men to a certain location and dismiss them. The orders were ignored, and subsequently, when Hawes ordered his arrest, Colonel Blodget resisted. The report of Blodget's trial was published at Providence in 1821.

<sup>2</sup> Staples, *Annals of Providence*. p. 386.

<sup>3</sup> The population of Rhode Island towns of over 3,000 inhabitants in 1820 was as follows: Providence, 11,767; Newport, 7,819; Smithfield, 4,678; South Kingstown, 8,723; Warwick, 8,648; Bristol, 8,197; Coventry, 8,189; North Kingstown,

A bill to reduce the justices of the Supreme Judicial Court from five to three was passed by the house at this session, but did not get through the senate. The Rhode Island Historical Society was chartered at this session.

The Republican state ticket met with no opposition either in 1822 or 1823; nor were Messrs. Eddy and Durfee opposed in the congressional election in August, 1822. Mr. Durfee, who had declared himself a Republican when placed on the opposition ticket two years before, was now accepted as the candidate of the dominant party. But, although the opposition did not deem it expedient to hazard a contest on general issues, it was always in evidence at the representative elections, and in August, 1822, it succeeded in securing one-half of the total (72) membership of the house. When the new house was organized in October, several of the Republican members were sick and unable to attend, and the "Federal Republicans" had a clear majority. So it happened that when the senate, which was unanimously Republican, invited the house to meet in grand committee to elect a United States senator, the house refused. On January 17, 1823, the two houses assembled in grand committee, and re-elected Senator Knight for six years, on the second ballot, by 40 votes to 39 for ex-Congressman Potter.

The year 1823 witnessed a slight collision of interests in this state between steam and sail passenger boats. The Fulton company of New York had built several steamboats for the Sound and the Hudson river services. A line of packets for passengers and freight was put on between New York and Providence, which also called at certain Connecticut ports. The New York legislature had attempted to give the company an exclusive franchise in New York waters, and, although its right so to do was subsequently denied by the Federal judges, its monopoly seems to have been in force some time before the decision was rendered. The Connecticut legislature, in retaliation, had excluded the New York boats from Connecticut ports. This "embargo" of course had a tendency to increase the travel and traffic between the metropolis and Rhode Island ports, but the sailing packet interest, which had already experienced a loss of business in consequence of the advent of steam, tried to secure the passage of an act by the Rhode Island legislature, at Newport in May, practically to exclude its powerful rival from Rhode Island waters. A petition from Newport and other shore towns asked the assembly for an act to prevent the New York boats from navigating Rhode Island waters, unless the Fulton company should grant reciprocal rights to Rhode Island citizens. A bill actually passed the senate imposing a tax of 50 cents a

3,007. Newport then had six members, while Warwick and Portsmouth, which had only 1,645 inhabitants, each had four, they constituting, with Newport and Providence, the four original towns.

head upon all passengers brought into Narragansett bay by steam-boats. The house referred the bill to a committee, which was to report at a subsequent session, but before it had completed its duties, the United States Court had decided that such legislative attempts to impede inter-state commerce were unconstitutional.

The question of a constitutional convention was a subject of debate all through the year, both in the general assembly and in the state at large. At the June session of the general assembly, Elisha R. Potter revived the subject by offering a resolution to issue a mandatory call for the election of delegates to a constitutional convention, without waiting for the previously attempted popular initiative. The resolution was laid on the table until October, when a committee was elected to bring a bill for a convention. The committee was unable to agree, and another committee was appointed for the purpose. The latter finally reported a resolution, at the session of January, 1824, calling a convention of delegates, equal in number to the representation of the several towns in the house. The resolution was adopted and the free-men of the several towns elected delegates in June.

The movement in favor of the adoption of a written constitution at this time was entirely non-partisan. While its earliest advocates had been more numerous in the country than in the larger villages, and were consequently more Republican than Federalistic in sentiment, at this time the sentiment favorable to a change was stronger in Providence, the growing towns of Providence county, and in Bristol and Warren than elsewhere. As any attempt at an equalization of the representation of the house on the basis of population must reduce the representation then existing of Newport, Warwick and Portsmouth, those towns were opposed to a change, and they were aided in the fight by the small towns generally, which already scented danger from the rapidly-growing young giant at the head of Narragansett bay. Hence it happened that conditions had been somewhat reversed, and Providence, the populous town and the Federalist stronghold, was clamorous for a constitutional convention, while most of the small Republican towns were now opposed to it. No attempt, however, was made to give any political tone to the matter. Providence selected two leading Republicans along with two Federalists to represent it, and party lines were ignored in the other towns. ✓

The convention met at Newport in June and prepared a constitution, which was to be submitted to the people in October. The proposed instrument, in the preparation of which ex-Congressman Potter, the president of the convention, seems to have been the most influential factor, did not change the freehold qualification for voters. It gave the Governor the power of veto, and made the Lieutenant-Governor the president of the senate, with only a casting vote in case of a tie. The senate, which was to consist of ten members, chosen on a general ticket,



MAP OF THE TOWN OF PROVIDENCE IN 1828, BY DANIEL ANTHONY.

was practically the same as under the charter. In the house of representatives, every town, however small, was to have two members; towns of three thousand and less than five thousand inhabitants were to have three; towns of five thousand and under eight thousand, four; towns of eight thousand and under twelve thousand, five; towns of twelve thousand and less than seventeen thousand, six; and towns of over seventeen thousand people, seven and no more.<sup>1</sup> One session of the general assembly was to be held at Newport in May each year; another session was to be holden each January, at Providence and South Kingstown alternately, while adjournments from the May session were to be held at East Greenwich, and adjournments from the January session in Bristol. The freemen rejected the proposed constitution by a decisive vote of 3,206 negative to 1,668 affirmative votes. Providence, North Providence, Smithfield, Johnston, Glocester, and the three Bristol county towns were the only ones that gave majorities in its favor. Providence gave 653 votes to 26 in its favor, but Newport polled 531 ballots against it and only 5 affirmative ones, while several towns voted solidly against it.

Governor Gibbs declining a renomination in 1824, the Republican convention selected ex-Governor Fenner as the standard bearer of the party, with Charles Collins of Newport as the candidate for Lieutenant-Governor. No opposition ticket was nominated, but two or three days before election a ticket with Wheeler Martin's name at the head was secretly circulated in Providence and a few other towns. It had little effect, although Martin, who was more acceptable to the Federalist element than Fenner, carried Providence, West Greenwich and Warren, his vote in the former town being 165 to 159 for Fenner. As there was supposed to be no contest the vote of the state was a light one—only 2,751 in all—of which total Fenner received 2,146, and Martin 594.

The report of the committee selected to make a new estimate of valuation for the state reported at the January session in 1824. The total for Providence was placed at \$9,500,000, while that for Newport was \$2,000,000.

An event of considerable importance this year was the visit of Lafayette to Providence, which occurred on the 23d of August. He came by carriage from Plainfield, Connecticut, and was met at the western border of the town by a great military and civic procession. The ovation extended him was fully equal to that given Washington in

<sup>1</sup> If the constitution had been adopted Providence would have had five members; Newport, four; Smithfield, South Kingstown, Warwick, Bristol, Coventry and North Kingstown, three each; and the remaining twenty-three towns two each. This would have given a house of 78 members. Were such a basis of representation in force at the present time (1901), the six cities and the town of Warwick would each have seven members of the house, and the total membership would be 186.

1790, and was participated in by the veterans of the Revolution<sup>1</sup> and by their children and grandchildren. The festivities were brought to a conclusion by the inevitable banquet and toasts, in which Tristram Burges proposed the toast to the honored guest, in an eloquent and felicitous little speech.<sup>2</sup>

The presidential campaign this year in Rhode Island was possessed of some peculiar features. The opposing political parties had become considerably mixed, and many leading Republicans, as well as many who were formerly Federalists, were favorable to the election of William H. Crawford, who had secured the Republican Congressional caucus nomination. Many, however, of both party affiliations, desired John Quincy Adams.<sup>3</sup> The Republican convention to nominate presidential electors was called to meet in Providence, October 27, but a convention, called in Adams's interest, met on the 26th of that month and nominated electors. When the Republican convention met the next day, the "machine" magnates who expected to endorse Crawford's candidacy without opposition, found themselves in a decided minority, and the Adams electors were unanimously endorsed by the convention. The popular vote in November was: Adams, 2,145; Crawford, 200.

The most important legislation enacted by the general assembly in 1825 was an act to transfer the jurisdiction of petitions for the benefit of insolvent debtors to courts of commissioners. Three courts were established; one for Newport and Bristol counties; a second one for Providence county; and a third for Kent and Washington counties.

The town of Providence had maintained free schools since 1800. Newport adopted measures for the purpose in 1825, but not without strong opposition, which culminated in a petition to the general assembly from ex-Senator Christopher G. Champlin and one hundred and fifty others, who asked the assembly to declare the action of their town null and void. The assembly doubted its authority to interfere so radically with the rights of its premier capital, but it modified the

<sup>1</sup> As Lafayette entered the State House on North Main street, he recognized and cordially embraced Colonel Stephen Olney, who had served under him at Yorktown, and had been one of the first to penetrate the British works. For further details of Lafayette's visit, see Z. Allen's *Memorial of Lafayette*, Providence, 1861.

<sup>2</sup> Burges toasted Lafayette as the companion of Washington and the friend of Hamilton and Greene. The incident, and the fact that the placing of Hamilton by the side of Washington and Greene as a military hero met with no criticism, show the strong Federalist sentiment of Burges, and of Providence as well, a sentiment that still lived, although no man then, when the memory of the Hartford convention was fresh in the minds of the people, had the moral courage to declare himself a Federalist.

<sup>3</sup> Two anonymous pamphlets, one entitled *Principles and Men*, advocating the election of Adams, and the other, entitled *Pro and Con*, urging the claim of Crawford, appeared in Providence in 1823.



town's action in appropriating \$2,000, by authorizing it to use not to exceed \$800 for the free education of "white children."

The dead calm which was resting on the political waters was disturbed in the summer by a lively contest over congressmen. It had been customary to hold the congressional elections during the August preceding the fourth of March on which the terms of the members began, but by resolution of the general assembly in June, 1823, the date of election was changed from August, 1824, to August, 1825. The Republican convention for the nomination of successors to Messrs. Eddy and Durfee was called, according to the usual custom, to meet at Newport, during the June session of the general assembly. But few delegates were elected, and, as was customary in such cases, Republican assemblymen from the unrepresented towns acted as delegates in the convention. Mr. Eddy was renominated without a contest, but Mr. Durfee was not so fortunate. He was beaten in the convention by Dutee J. Pearce of Newport. The defeated candidate claimed that the convention did not fairly represent the wishes of the freemen, and announced himself as a candidate for re-election. The old Federalist element, which had never been cordial in the support of the candidates named for them by the Republican conventions, which were—they claimed—a mere reflex of the wishes of Bennett H. Wheeler, the editor of the Providence Patriot, seized the opportunity to hold a conference and nominate Tristram Burges of Providence for Congress. William Hunter of Newport was also named. The original Republicans opposed Burges because, as was claimed, he had been a Federalist, and was still one in sentiment, and neither he nor any of his supporters dared either acknowledge or defend the "heresy". Burges received 2,932 votes; Pearce 2,534; Durfee 2,468; Eddy 2,121; and Hunter 364. Burges was declared the only one elected, and a second trial took place in November, when Pearce was chosen.

A municipal census, taken this year, gave Providence a population of 15,941, of which number 8,729 were on the east and 7,212 on the west side of the river, and of whom 1,414, or nearly ten per cent., were colored. The Providence papers about this period frequently complained of the numbers of colored people in the town, a large percentage of whom were, they asserted, lawless and idle. This year thirty acres of land at Field's Point were purchased by the town of Providence for \$4,500, or \$150 an acre.

James De Wolfe having resigned his seat in the United States senate, Asher Robbins, Republican, of Newport, was elected in his place, on November 5, 1825, by the general assembly, by a small majority over Elisha R. Potter.

The assembly in January, 1826, passed an act forbidding members of the courts of commissioners being members of either house of the general assembly, but the act itself constituting that court, together

with all other acts for the relief of insolvent debtors were repealed in June by four majority in the house and one in the senate. The debate over this matter attracted a good deal of attention, on account of its importance, and because of the ability of the debaters, some of the best legal talent in the state being arrayed on each side. Ex-Congressman Potter led the fight for repeal, and was given credit by his political enemies for the final outcome. The lottery question attracted considerable attention this year, and the propriety of suppressing this form of gambling was already being discussed.

The manifestations of grief when news was received of the deaths of ex-President Adams and Jefferson, and the tributes to their memory which were bestowed in equal degree, showed that the former feeling, so prevalent in the state against the Sage of Monticello, had been greatly modified. At the time of Jefferson's death, a public subscription was being raised throughout Rhode Island to assist in relieving his pecuniary embarrassments, and one of the most responsive toasts given in Providence on the Fourth was the hope that the venerable patriot would not be compelled to dispose of Monticello by lottery.

As a United States senator to succeed Senator Robbins would, in the regular order of things, be chosen at the October session of the assembly this year, considerable interest was manifested in the August semi-annual election of members of the house. It was assumed that Mr. Potter would again be a candidate, and Mr. Robbins's friends, especially in Providence, urged the freemen to return men pledged to support him. Mr. Potter was accused of all manner of political heresies, and among other things of being an enemy of the town of Providence. The Providence Manufacturers' and Farmers' Journal was particularly bitter in its denunciations. A few weeks before the meeting of the assembly, Mr. Potter came out in a letter in the Providence Microcosm, in which he struck back at his opponents, and insinuated that Senator Robbins had been guilty of questionable conduct, when he held the position of United States district attorney under President Monroe. This compelled Senator Robbins to publish affidavits to clear his reputation. When the time for the choice of senator in grand committee arrived, Mr. Potter, who was a member of the house from South Kingstown, declined being a candidate, and Senator Robbins was unanimously re-elected.

A new judiciary law was enacted in January, 1827, which involved some reforms in procedure, and reduced the justices from five to three. Some of the judges who expected to be displaced under the action of this law secretly circulated a "prox", just before the April election, in the attempt to defeat four of the senators whose votes had assisted in the passage of the new law. The attempt, however, was a failure, as the judges' candidates received on an average only about 525 votes. An attempt was made at the May session to repeal the new law, but,

although Mr. Potter favored such action, the house rejected the act of repeal, the vote on its passage being 25 to 41.

The temperance movement, at least in its public manifestations, had its inception in Providence this year. A public meeting was held in April in the First Baptist meeting house, at which resolutions were passed in some measure condemnatory of the liquor evil.<sup>1</sup> Governor Fenner, than whom few public men in Rhode Island history have been more successful in trimming their sails to catch an approaching breeze, must have had a premonition of the coming temperance deluge, for on election day at Newport, in May, he abstained from treating, and instead thereof gave \$100 to the Newport public school fund. Lieutenant-Governor Collins, following the example of his superior, also gave \$50 to the fund.

Considerable rivalry existed between the original Republicans, and those of the newer (Federalist) brand, as to which were the truest friends of President Adams's administration. Both parties claimed to be truly loyal thereto, and no Republicans were considered genuine without the Adams "hall-mark". The newer faction stole a march upon the Patriot regulars, at Newport in June, by calling a caucus of "Senators, Representatives and people", who were supporters of President Adams's administration, to meet on the day previous to the regular Republican congressional convention. The caucus, which was well attended, renominated Messrs. Burges and Pearce, and the regulars doing the same, the two congressmen were re-elected without opposition.

The "Administration party" again forestalled the Patriot Republicans in nominating a "prox" for the April election of 1828. All of the old officers except four senators were renominated. The Republican convention renominated the old ticket with two exceptions, and the two senators left out of both proxies—one of whom openly avowed himself a Jackson man—ran independently and failed of election. Two of the senators who were "turned down" by the "Administration prox" were elected, and the other two were defeated.<sup>2</sup>

A free school law was passed at the January term of the general assembly in 1828. The receipts from lottery managers and agents and the duties obtained from auctioneers had been allowed to accumulate for a year or two for the purpose, and by the terms of the law now enacted, ten thousand dollars of such receipts were to be divided each year among the several towns in proportion to their several school populations, to be used for the support of free schools. Five thousand dollars of the

<sup>1</sup> For a history of the temperance cause in Providence, see a series of sketches by S. S. Wardwell in the *Prov. Journal* for 1859.

<sup>2</sup> This strife over the election of state senators brought out two pamphlet addresses, both anonymous and both filled with the personal vituperation that so especially distinguished the politics of the period.

accumulated receipts then in the state treasury were at once set apart as a permanent fund for the use of schools, and thereafter all state receipts from lotteries and auctioneers over and above the ten thousand dollars distributed to the several towns, were to be added annually to the permanent fund, which was to be invested by the general treasurer in good bank stock. The towns were authorized to appropriate such additional sums for schools each year as a majority of the freemen of each, assembled in town meeting, should deem proper. A new law for the relief of insolvent debtors, which referred their petitions to the Supreme Judicial Court, was passed at this session. At the June session permission was given for the extension of a railroad, starting from Boston, from the Massachusetts state line to Providence. The legislators, who were accustomed to provide for the assessment of tolls by turnpike associations operating under state charters, gave the railroad company authority "to take and exact from persons making use of the same (the railroad), reasonable tolls", and for that purpose to "erect and keep up a toll-gate, together with the necessary appendages thereto". A toll gate upon a railroad seemed to be a very necessary provision at that time.

At the October session a resolution expressing confidence in President Adams's administration, and in Henry Clay, and advocating the President's re-election, passed the house by a vote of 44 to 18. President Adams passed through Providence, which he reached by the New York boat, on Sunday, August 10. Salutes were fired, and he was received cordially, and with as much attention and pomp as could be expected on the Lord's day.

The Jeffersonian Republicans allowed the "Friends of the Administration" to call the convention for the nomination of presidential electors, and the ticket selected was endorsed by them. Shortly before the election a Jackson weekly, the "Republican Herald", was started in Providence, and a Jackson Electoral Prox was put up.<sup>1</sup> A large portion of the freemen of Rhode Island, however, looked upon Jackson with great distrust. The Manufacturers' and Farmers' Journal warned its readers shortly before the election that if the "Military Chieftain" was chosen, the country would probably be ruined, and that the people then living might see established upon its ruins "a long line of sceptered kings". Even the Patriot, which had sounded the war cry of the plain people for many years, after Jackson's success seemed assured, regretted the result, but not so much because it distrusted the successful candidate, as because his candidacy had been dictated by British influence, and his election was due to the "wild Irish rabble of New York city." The Adams electoral ticket received

<sup>1</sup> The Herald office also issued *An address to the people of Rhode Island proving that more than eight millions of the public money has been wasted by the present administration.* By a Landholder, 1828.

2,754 votes, and the Jackson ticket 821. The vote of Providence was 538 to 73 in favor of Adams, and that of Newport 290 to 66. The wisdom of adopting a city form of government and establishing a high school was frequently discussed in Providence at this period.

A bill was introduced at the January session in 1829 to repeal the 27th section of the law for the assessment and collection of taxes, which exempted school and religious property from taxation. It passed the house by 9 majority and in the June following was accepted by the senate in an amended form, the exemption being retained on these classes of property when protected by charters.

The free suffrage party began to be heard from again this year. Meetings were held in several of the towns. Large assemblages were held in Providence in aid of the movement. One on the 28th of March was described by the Journal of that town as the largest meeting ever held in the state, as many as 1,200 to 1,500 being in attendance. Most of the leading citizens took part in the campaign, and all of the newspapers advocated the reform but the Jackson organ, which warned the farmers against giving Providence too much power. At the May session memorials were sent to the general assembly by the suffragists,<sup>1</sup> but a motion by Wilkins Updike that the petitioners have leave to withdraw, put a stop to the movement at the June session.

The state campaign of 1829 was a fight between the "General Republicans" and the Democratic-Republicans (Jackson) on the senatorial ticket, in which the latter elected eight of their ten candidates. A trial of strength took place in the house on "Election Day" over the speakership. The Regulars nominated Joseph L. Tillinghast of Providence, while the Jacksonians supported Wilkins Updike. The former was chosen, receiving 37 votes to 27 for Updike. The Jacksonian Republicans were now the Administration party. The Providence Patriot accepted the situation and retained the advertising patronage of the national government. Many of the Republicans of the Jeffersonian stripe now aligned themselves with the radicals who had been supporting Jackson. Governor Fenner trimmed his sails to catch the Jackson breeze, and ex-Congressman Eddy, now chief justice of the Supreme Judicial Court, did likewise. Messrs. Burges and Pearce were nominated for re-election to Congress by the anti-administration Republicans, who now began to call themselves "National Republicans". The Jacksonians, who took the name of "General Republicans", put forward Judge Eddy and Job Durfee, while Elisha R.

<sup>1</sup>The memorials were referred to a committee of which Benjamin Hazard was chairman. The report of this committee, known as Hazard's Report, was strongly adverse to the petitioners, urging that the franchise should be preserved to the freehold class and denouncing "democracy" as a thing to be shunned. The argument, although specious and illiberal, had its effect with the "landholding" assembly.



Potte and John De Wolf, jr., also had some supporters.<sup>1</sup> The two sitting congressmen were re-elected, however, by more than two thousand majority over all competitors.

## CHAPTER XIX.

### FROM 1830 TO THE DORR WAR.

The National Republicans could no longer support Governor Fenner. He was renominated at their convention in January, 1830, but their newspapers repudiated him, and put Dr. Asa Messer of Providence at the head of their ticket, with Nathan M. Wheaton for Lieutenant-Governor. Fenner was re-elected, however, by over a thousand majority. The General Republican senatorial ticket was elected in most cases by small majorities. Elisha R. Potter was now fully committed to the Jackson party, and he was placed in nomination for speaker in May against Tillinghast. The latter won, however, by one vote, he receiving 34 and Potter 33. At the previous January session the latter had offered resolutions indorsing Jackson's administration. They were rejected, the vote standing 8 to 50. Mr. Potter, who was acknowledged by friends and foes alike to have been a man of great influence, seems to have been fairly driven into the Jackson camp. He was a constant target for many years for the shafts of the Providence press, and he, on his part, responded by generally opposing legislation favorable to Providence. Any measure which the Providence delegation desired, if advocated by any country member, subjected the latter to the charge from Potter and his followers of being "the fifth member from Providence". At the June session in 1830, Mr. Potter presented a resolution—which, however, was laid on the table on his own motion—for the appointment of a committee to take into consideration the expediency of more effectually guarding the liberty of the press, and "protecting the citizens of the state against its licentious abuse."

The town of Providence having, by majority vote in town meeting,

<sup>1</sup> The election contests of this year 1829 were productive of no less than five electioneering pamphlets in which personal abuse, as usual, played an important part. The "*Herald* office", the Jacksonian stronghold, started the ball rolling in April with some anonymous *Hints to the Farmers of Rhode Island*. Replies and counter-charges followed in rapid succession, Tristram Burges himself taking a hand in the controversy with an *Address to the Landholders and Farmers of Newport County*. These pamphlets reveal much that is interesting in relation to the politics of the period.



expressed its desire to adopt a city form of government, was granted a city charter by the general assembly in January, but it was to be void unless accepted by a three-fifths vote of the freemen of the town. The charter was submitted to the voters of the city on February 15, 1830, but although a majority of the votes polled—383 to 345—were cast for it, it failed to receive three-fifths, and the proposition was lost.<sup>1</sup>

At the January session of the general assembly in 1831 the question of the relief of insolvent debtors again came up for legislation, and the provision by which petitions under it were referred to the Supreme Judicial Court was repealed. In June the maximum limit of school age was changed from sixteen to fifteen years.

John Brown Francis of Warwick, a grandson of John Brown, one of the famous Brown family of Providence, was nominated for Governor by the National Republicans in January, 1831, and in the brief interval between his nomination and his declination of the honor, he was given such an excellent character—private and political—by the National Republican press, that when he was brought forward by their opponents two years later, they were obliged to abstain from the usual custom of that day—an attack upon a candidate's private character. Mr. Francis declined the nomination, and Lemuel H. Arnold of Providence was finally chosen to head the ticket.<sup>2</sup> Lieutenant-Governor Collins and the other state elective officials—the secretary of state, attorney-general and general treasurer—were unobjectionable, and were put upon the ticket. The General Republicans renominated Governor Fenner, and the other state officers. The National Republican Prox, whose senatorial candidates were entirely distinct from that of the "Republican, Administration and Farmers' Prox", was endorsed by the anti-Masons, who were now becoming actively interested in politics, and it was elected by over 800 majority. The Administration Republicans were so badly beaten that they made no nominations for Congress in opposition to Messrs. Burges and Pearce, who were re-elected in August. A state convention was held by the manufacturing interests in October to appoint delegates to a national tariff convention, to be held in New York. The National Republicans also held a

<sup>1</sup> Providence had 16,836 inhabitants, according to the national census of 1830. It was now more than double the size of Newport, whose population was 8,010. The factory towns of Smithfield, Warwick, Scituate, Cumberland and North Providence were growing rapidly, while the farming towns were at a standstill. Smithfield, the third town, had 6,857 inhabitants, and there were 5,529 in Warwick.

<sup>2</sup> During this and the following year, many abusive pamphlets were issued for election purposes. Governor Fenner's change in party affiliations and Arnold's connection with the Providence and Pawtucket Turnpike gave all opportunity necessary for slander and vituperation, while the Anti-Masonic troubles of the period furnished additional subject matter. After 1832 electioneering pamphlets seem to have been very seldom issued.

convention at South Kingstown in November, for the purpose of electing delegates to a national Republican convention in Baltimore to nominate a candidate for President.

A serious riot occurred in Providence in September, 1831, and the helplessness of the town authorities in preserving the peace on such an occasion probably had considerable influence in determining the general assembly to grant, and the freemen of the town to accept, a city form of government. Providence had a large colored population for a New England town, and although there were many good citizens among them, there was a large floating element which was dissolute and disorderly. The riot, which was the outcome of a collision between dissolute whites and lawless blacks, is thus described in Staples's *Annals of Providence*:

"The first outbreak of popular feeling was on the night of September 21. A number of sailors visited Olney's lane for the purpose of having a row with the blacks inhabiting there. After making a great noise there and throwing stones, a gun was fired from one of the houses. The greater part of the persons in the lane then retreated to the west end of it, and five sailors who had not been engaged in any of the previous transactions, went up the lane. A black man on the steps of his house, presented a gun, and told them to keep their distance. They in turn proposed taking his gun. This they did not attempt, but pursuing their walk a little further, then stopped. Here they were ordered by the black man 'to clear out', or he would fire at them. This they dared him to do. He did fire, and one of their number was instantly killed. The first company, who were still at the foot of the lane, then returned, tore down two houses and broke the windows of the rest. During the next day there was a great excitement. The sheriff of the county with other peace officers were in Olney's lane early in the evening. As the mob increased in numbers and in violence of language, they were ordered to disperse, and seven taken in custody. Subsequently others were arrested, who were rescued from the officers. The sheriff then required military aid of the Governor of the state, and at midnight the First Light Infantry marched to his assistance. The mob, not intimidated by their presence, assaulted them with stones. Finding that they could effect nothing without firing upon them, the soldiers left the lane, followed by the mob, who then returned to their work, and demolished six more houses in the lane and one near Smith street, not separating until between three and four o'clock in the morning. On the morning of the 23d, an attack on the jail being expected, the sheriff required military aid, and the Governor issued his orders to the Light Dragoons, the Artillery, the Cadets, the Volunteers, and the First Infantry, to be in arms at six o'clock in the evening. The mob appeared only in small force, and did little mischief. The military were dismissed until the next evening.

On the evening of the 24th there was a great collection of persons in Smith street and its vicinity. Soon they commenced pulling down houses. Upon this, finding it impossible to disperse or stay them, the sheriff called again on the Governor, and the military were again assembled. During their march to Smith street they were assailed with stones. They marched up Smith street and took post on the hill. Here both the Governor and the sheriff remonstrated with the mob, and endeavored to induce them to separate, informing them that the muskets of the military were loaded with ball cartridges. This being ineffectual, the riot act was read, and they were required by a peace officer to disperse. The mob continued to throw stones both at the houses and soldiers. The sheriff then attempted to disperse them by marching the dragoons and infantry among them, but without success. He then ordered the military to fire, and four persons fell mortally wounded, in Smith street, just east of Smith's bridge. The mob immediately dispersed, and peace was restored."<sup>1</sup>

The net results of the affair were the loss of four lives, and the destruction, either partial or complete, of seventeen houses. On the next Sunday a mass meeting was held in the State House yard, and resolutions were adopted, sympathizing with the friends of the killed, but approving of the action of the civil authorities.

On October 25, at a town meeting called for the purpose, the freemen voted—471 to 175—in favor of a city government, and the general assembly at the October session granted a charter. It provided for a mayor and six aldermen, to be elected on a general ticket, and twenty-four common councilmen—four from each of the six wards. It was submitted to the freemen of the town on November 27, and was accepted by a vote of 459 to 188. The city government began on the first Monday in June, 1832. During the pendency of the charter question before the assembly, a petition from certain inhabitants of the western suburbs of the town was made, asking that the charter should not include that portion west of the junction of Broad, Westminster and High streets, and that the remainder should be set off and incorporated as the town of Westminster.<sup>2</sup>

The acts for the relief of insolvent debtors were again tinkered in January, 1832, by which the acts of 1828 and 1830 were revised, and an appeal was granted from the Supreme Judicial Court to the greater supremacy of the assembly. Some amendments were made to the Boston and Providence railroad act, by the provisions of which the state could purchase the road, after twenty years, under certain financial conditions, and if the net receipts of the road exceeded 12

<sup>1</sup> Staples, *Annals of Prov.* p. 397-399. There is also an account of the Olney's Lane riot in the *Prov. Journal* for August 23, 1884.

<sup>2</sup> This seems to have been a recurrence of a similar petition presented as early as Feb. 26, 1770 (see Arnold, *History of R. I.* ii, 301).

per cent. the general assembly could require a reduction of the road's "tolls". The election law was amended at this session, so as to provide, in case of no election of Governor and other officers on the state ticket, that new elections should be ordered within thirty days, until a choice should be effected. This amendment was doubtless made in anticipation of the result of the three-cornered campaign which had already begun. The hue and cry against Free Masonry, resulting from the alleged exposures in the famous Morgan case, was now in full volume in this state. A legislative committee, of which Benjamin Hazard of Newport, James F. Simmons of Johnston and William Sprague, jr., of Warwick, were members, had been appointed in 1831 to investigate the order in Rhode Island. It had summoned a large number of Masons, from Royal Arch and Grand Lodge officers down to "entered apprentices", and had required them to make a "clean breast" of the workings, the oaths, and the other secrecies of the order. The information obtained was probably not exhaustive, but it was sufficient to fill 222 octavo pages of a printed report, which was submitted by a majority of the committee to the assembly in 1832. While the report exonerated the Masonic organizations of the state from most of the grave charges against them, it advised them to discontinue their lodge work. William Sprague, jr., who apparently was not in harmony with the other members of the committee, and did not attend all of its sessions, presented a minority report, in which he censured the order, and recommended the revocation of Masonic charters. The report of the majority, which was ascribed to Mr. Hazard, the chairman of the committee, received considerable criticism from the Anti-Masons, and some of the charges of unfairness were repeated in a private letter—which soon found its way into the public prints—by ex-President John Quincy Adams. Mr. Hazard, who was no mean antagonist, either with his pen or his voice, resented the imputation upon his fairness. He addressed a series of letters to the distinguished ex-President, in which he defended the report, and taunted the man for whom he had twice voted in presidential campaigns, with being "a friend of his enemies and an enemy to his friends". The investigation did not seem to have much effect either for or against Masonry. The Grand Lodge issued an address to the public, denying the prevalent charges made against the order.<sup>1</sup>

Caucuses and conventions were held early in 1832, and the Anti-Masons were now a full-fledged party. William Sprague, jr., of Warwick, and Augustus Peckham of Newport, were nominated by them for Governor and Lieutenant-Governor, respectively. The National Republicans had renominated Governor Arnold and Lieutenant-Governor Collins, and the General or Democratic-Republicans

<sup>1</sup> For a further discussion of this subject, see the chapter on Free Masonry and Odd Fellowship.

again placed Fenner in nomination, with Jeffrey Hazard of Exeter for Lieutenant-Governor. There was no election in April, Governor Arnold lacking 87 votes of a majority in a total poll of 5,594 votes. Sprague and his ticket had an average of nearly 600 votes. Four special elections were held afterwards—in May, July, August and November, in the vain effort to secure a choice, but none was made on either Governor, Lieutenant-Governor, or a single one of the ten senators. At the trial in August a "split ticket" had been circulated, with Lieutenant-Governor Collins's knowledge, containing his name and that of the Democratic-Republican candidate for Governor. His name was dropped from the National Republican ticket in November, and that of Joseph Childs of Portsmouth substituted.

The old officials held their places throughout the year, and the usual sessions of the general assembly were held, besides an extra one in August to count the votes cast at the special election in July. In May, 1832, a resolution was passed, requesting the members of Congress from Rhode Island to oppose the proposed reduction of tariff rates, as detrimental to Rhode Island industrial interests. The National Republicans endorsed the candidacy of Henry Clay for the presidency early in the year 1832. The Clay electors received a majority of 684 at the election in November in a total vote of 4,936.

Senator Robbins's term was to expire on March 4, 1833, and on January 19, 1833, the two houses met in grand committee and re-elected Mr. Robbins—who was supported by the National Republican members—by a vote of 41 to 25 for Elisha R. Potter and 12 for Dutee J. Pearce. The Democratic-Republican minority—30 in number—made a formal protest against the holding of this election, claiming that as the assemblymen were elected in 1831, they were not competent to represent the will of the people in such a case in 1833. The house refused to receive the protest.

The Democratic-Republicans combined forces on the state ticket in 1833, and placed John Brown Francis and Jeffrey Hazard in nomination for Governor and Lieutenant-Governor respectively. The National Republicans renominated Governor Arnold, with Childs for Lieutenant-Governor. A singular incident at the convention which placed them in nomination was the presence of ex-Senator James De Wolf, who a few days later called the Democratic-Republican convention to order. Mr. DeWolf was invited to take a seat in the convention. He declined, but told the assemblage that he was with them on national matters, as the Jackson administration had deserted the interests of Rhode Island. The coalition won at the April election, electing Francis and Hazard by a majority of about 750 in the largest vote that had been cast since 1818. An inspection of the ticket of the three parties at Newport, shows that the Anti-Masonic ballot had been used by 1,106 voters.



From a report regarding the Narragansett Indians, presented to the assembly at the January session in 1833, it appears that the community in the town of Charlestown, living on the tribal lands, then numbered 198 souls, of whom 6 were full-blood Indians; 14 half-breeds; 158 of mixed parentage, but less than half Indian; and twenty non-Indian residents. The six "full-bloods" were all aged females, and the 158 were, on an average, as much as three-fourths African. About 50 members of the tribe were absent, and were not included in the enumeration. The moral and physical condition of the tribal remnant was far from satisfactory. Rum and other forms of vice were gradually enervating and exterminating them, they were constantly being imposed upon and robbed by designing individuals, and many of the tribe were living in a half-starved condition.

The general assembly at the May session hastened to repeal the act by which they had held so many abortive elections during the previous year. At the June session a memorial signed by Elisha Mathewson and many others, praying that the incorporated Masonic bodies in the state be cited to appear before the general assembly and show cause why their charters should not be revoked, was accepted by a vote of 44 to 18, after a warm discussion. Many of the leading members of the assembly were Masons, and while they could not defy public opinion they used every parliamentary device to evade its edicts. The house finally voted to continue the memorial to the next session, and required the petitioners, at their own expense, to cause public notice of the pendency of their memorial to be published in all of the newspapers of the state. A petition from certain citizens of the villages of Central Falls and Valley Falls to be set off from the town of Smithfield and annexed to the town of North Providence, was also continued. The progress of humanitarian ideas was shown by the passage of an act at the same session to seclude executions of criminals for capital crimes from public gaze.

Politics were a good deal mixed at the congressional election in August, 1833. Burges was re-elected at the first trial, and Mr. Pearce was finally re-elected, as the Democratic-Republican candidate, at a special election in November over Nathan F. Dixon, the candidate of the National Republicans. Other candidates who were voted for in August were Wilkins Updike and Nathan B. Sprague, Democratic-Republicans, and Albert C. Greene, Henry Y. Cranston and Nathan F. Dixon, National Republicans. William Sprague, jr., was nominated for congress by the Anti-Masonic party, but declined.

The Democratic-Republicans secured a majority in the house of representatives at the semi-annual election in August, and at the October session the action of the hold-over assembly on the January previous in re-electing Asher Robbins to the United States senate, was declared null and void. The two houses met in grand committee on



November 1, and elected Elisha R. Potter to the seat they had thus declared vacant. The National Republicans refrained from voting, and Henry Y. Cranston of Newport, one of their number, offered a protest against the proceedings, but the grand committee, by a vote of 48 to 29, refused to receive the protest. Mr. Potter then went to Washington and contested Mr. Robbins's right to the seat, but the senate finally decided that the latter was legally elected.

President Jackson visited Newport and Providence in June, and was received at both places with the honor due to the Chief Magistrate of the nation. All eminent visitors were now entertained in Providence at the City Hotel. Among those who called upon President Jackson was the venerable Moses Brown, then in his ninety-fifth year. The aged man, who "thee'd" and "thou'd" Old Hickory after the Quaker manner, told him that as he had known all the previous Presidents he thought that he would call upon him, and he invited him to visit the Friends School during his local itinerary. Jackson accepted the invitation, and complimented the aged philanthropist upon his retaining his physical and mental faculties to so great an age. Henry Clay, who was at this time almost idolized by the National Republicans of Rhode Island, visited Providence in October of this year, and received great attention.

At the January session of the general assembly in 1834 an act was passed making all property devoted to religious or educational purposes taxable, unless such property was held under charters granted by the assembly, and religious bodies were forbidden to hold real estate exceeding \$10,000 in value, in excess of the value of their several churches and the lots upon which the churches stood. The license law was amended by giving the Providence board of aldermen and town councils authority to prevent the sale of rum, wine and strong liquors on Sunday and on such other times as they should deem proper.

The Anti-Masonic memorials headed by Elisha Mathewson were discussed in the house with the Governor, Lieutenant-Governor and senate present by invitation, and after a motion to dismiss them, made by Mr. Atwell of Glocester, had been rejected by a vote of 13 to 44, an act was finally passed revoking the charters of the six chartered bodies in the state, and requiring them to render annual reports, under penalty of a fine of \$100 if the requirement was neglected.<sup>1</sup> Other important acts passed at this session were a mechanics' lien law, and a provision for the assessment of the machinery of cotton and woollen companies as personal property, including the machinery owned by non-residents.

At a special session in May, the election law was again changed, so that, when there was no choice for Governor or Lieutenant-Governor,

<sup>1</sup> Sixteen other charters of Masonic bodies were not molested.

and for a majority of the members of the senate, the speaker of the house should issue a warrant for a new election.

There was a good deal of complaint of hard times during this year, a fact that was ascribed by the National Republicans to President Jackson's war upon the United States bank. The Providence Journal, in April, 1834, published a list of thirty cotton mills, containing 70,000 spindles, in and near Providence, which were closed because of the hard times.

The question of a new constitution and the extension of the suffrage again came to the front in 1834. Agreeable to an invitation from the towns of Smithfield and Cumberland, delegates from Newport, Providence, Smithfield, Bristol, Warren, Cranston, Johnston, North Providence, Burrillville, and Cumberland, assembled in convention in Providence on February 22, to consult together upon the best course to be pursued for the establishment of a written state constitution which should properly define and fix the powers of the different departments of government and the rights of the citizen. Another convention, at which delegates were also present from Scituate and North Kingstown, was held on March 12. A constitutional party was formed, and an address to the people of Rhode Island was issued.<sup>1</sup> This address and also a memorial from the mayor and city council of Providence, declaring the city to have one-sixth of the inhabitants, one-seventh of the voters, and one-fourth of the wealth of the state, while it had only one-eighteenth of the representation in the house of representatives, was presented to the general assembly at the January session. A committee was appointed to consider the subject, and at the June session, Benjamin Hazard of Newport, presented a motion in the house to call a convention to annul the charter. Thomas W. Dorr, a new member from Providence, moved as a substitute the calling of a convention to form a constitution. His motion was carried in an amended form. The convention met in September, adjourned several times, the last time to meet in Providence, on June 29, 1835, but the members, for some reason, failed to meet at the latter date. The delegates to this convention were generally opposed to an extension of the suffrage, and a proposition to that effect received but seven votes.

The National Republicans called a convention of "Independents" in January, 1834. It was presided over by Senator De Wolf, who had now definitely separated from his former political associates, and it

<sup>1</sup> This address was drawn up by a committee consisting of Thomas W. Dorr, Joseph K. Angell, David Daniels, William H. Smith and Christopher Robinson, and appointed by the convention. Chiefly the product of Dorr's pen, this address was a clear exposition of the defects in the existing system of government and of the changes essential for a proper correction of these defects. For the details of its authorship, see E. R. Potter, *Considerations on the adoption of a constitution*, p. 27.

placed in nomination, on a "Liberty and Union Prox", ex-Governor Nehemiah R. Knight and George Cross of Charlestown for Governor and Lieutenant-Governor. The Constitutionals held a convention and endorsed these nominations. Mr. Cross declined the nomination, and the National Republicans substituted the name of George Irish of Middletown in the place of Cross, while the Constitution people supported Cross, who received 442 votes. The Democratic-Republicans and Anti-Masons renominated Francis and Hazard, and they were elected by small majorities.

Resolutions in favor of the United States bank passed the house in October by a vote of 41 to 24. At this session, William Sprague, jr., who had been speaker since 1832, was opposed by ex-Senator De Wolf, now a representative from Bristol, but was re-elected by a vote of 36 to 31 for his opponent.

At the January session of the assembly in 1835, an act was passed requiring Masonic lodges to make annual returns to the general assembly regarding membership, and to divulge the forms of initiation and of the oaths administered to candidates. A resolution to restrict meetings of the general assembly to Newport and Providence was laid on the table by a vote of 41 to 13. The two houses met in grand committee on January 21, to elect a successor to Senator Knight, whose term would expire on the 4th of March, 1835, and on that day and the next took twenty ballots without effecting a choice. On the first ballot Albert C. Greene of Providence, the attorney-general of the state, received 39 votes, and on the last ballot 40. Elisha R. Potter was given 30 on the first and 29 on the last ballot, and William Sprague, jr., 11 and 12 votes, respectively, on the first and last ballots. Senator Knight and Tristram Burges also received single votes in the course of the balloting. As no choice could be effected, further balloting was postponed until the May session.

The gubernatorial contest of 1835 was, like that of the previous year, a close one. The Democratic and Anti-Masonic parties renominated Francis and Hazard, while the National Republicans, who had finally settled upon the name of "Whig", again put Knight at the head of their ticket, and nominated George Engs of Newport for Lieutenant-Governor. The vote was very close and there were many questions regarding fraudulent votes to be decided by the grand committee on "Election Day" at Newport, before the new administration could be inaugurated. When the grand committee, which was always composed of the old senate and the new house, met on that day, Governor Francis appointed five of each party as the canvassing committee. The situation was an alarming one. Protestations regarding alleged illegal votes had been received from several of the towns, and were referred to the canvassing committee. The cases were many of them difficult to decide. The committee divided on party lines, and

was at a deadlock. Representative Allen presented a motion that the committee count the votes as returned, and Representative Brayton offered as an amendment to his motion that Speaker Sprague be added to the committee to break the tie. As this would have given the advantage to their opponents, the Whigs objected to such an arrangement, and Benjamin Hazard rose to his feet and solemnly warned the senators, who were Democrats, against voting on any motion. He assured them he had examined the question, and was sure that they had no right to vote, and he solemnly declared that if they attempted to do so, he would address the speaker, and move that the house retire to its own chamber. He would regret to see the charter government of the state destroyed by any unlawful attempts on their part, but he would do his duty. Mr. Brayton withdrew his amendment, and Mr. Allen's motion was accepted by the grand committee. The troublesome protests regarding fraudulent votes were ignored, and the ballots were counted as they had been returned by the election officers. Governor Francis and the two Democratic senators and four Whig senators had been elected, while Engs, Whig, had defeated Hazard for Lieutenant-Governor. The house was composed of 37 Whigs and 35 Democrats, and the former elected Henry Y. Cranston, of Newport, speaker over Sprague by a vote of 35 to 34. In August, however, Mr. Sprague was elected to Congress by 148 majority over Tristram Burges, while Dutee J. Pearce was chosen by 242 majority over Speaker Cranston.

On May 13, 1835, the general assembly in grand committee re-elected Nehemiah R. Knight to the United States senate. The vote was 41 for Knight and 38 for Elisha R. Potter. Congressman Burges desired the position, and was much disappointed at being set aside for a recent convert to Whig principles. That Mr. Potter was also disappointed will readily be understood. This ended his long and eventful political career. He died in the following September.<sup>1</sup>

The Boston and Providence railroad, the first steam railroad to begin operations in Rhode Island, commenced running in June of this year. The guest-train from Providence to Boston on the opening day<sup>2</sup> was, however, drawn by horses as far as Canton, owing to the non-arrival of the new locomotive which was to run between the two cities. On its arrival a few days later two trains a day began running between the two chief cities of New England. The fact that a train covered the distance in two hours, twenty-five minutes, making five stops, was considered very fast time. A local census of Providence in 1835 disclosed

<sup>1</sup> Mr. Potter was born in 1754, and began life as a blacksmith's apprentice. He then became a soldier, and finally a lawyer. He was elected from his town to the general assembly in 1793, and from that date until his death, with the exception of seven years in Congress, was annually re-elected. It was said of him "few political men in Rhode Island ever acquired or maintained a more commanding influence."

<sup>2</sup> June 2, 1835.

a population of 19,277, of which 9,527 were on the east and 9,750 on the west side of the river. The colored population numbered 1,223. Great anti-slavery meetings were held in several places in the state during this year. The first public meeting in opposition to the institution of slavery had been held in Providence, on July 4, 1833.

The Anti-Masonic movement was already beginning to wane, and St. John's lodge of Masons of Providence, which had stoutly refused to surrender its charter, celebrated St. John's day by a parade through the streets. It was the first public Masonic function since 1831, and the "Republican Herald", which had been somewhat Anti-Masonic from political motives, solemnly warned the Masons of the folly of their action.

In January, 1836, the statute law regulating the admission of free-men was amended and simplified. Votes on real estate in reversion or wives' dowers were declared null and void. Over eight hundred names were signed to a call for an anti-slavery convention, to be held early in April, and numerous memorials against slavery were presented in the house at the January session. Their reception caused some heated discussions. An act, restricting the power of banks, introduced by Thomas W. Dorr, passed both houses.

To Tristram Burges, who was defeated for re-election to Congress the year before, was assigned the honor of bearing the Whig gubernatorial banner in April, 1836. John H. Cross of Westerly received the nomination for Lieutenant-Governor. Francis and Hazard were renominated, and ex-Lieutenant-Governor Collins and Daniel Remington of Warwick, were placed in nomination by the Constitution party. The total vote was 7,151, of which number Francis received 4,020; Burges, 2,984; and Collins, 135. Van Buren, the Democratic candidate for President, carried the state in November by a vote of 2,964 to 2,710 for Harrison, the Whig candidate. The preference of Rhode Island Whigs had been divided between Daniel Webster and Henry Clay, but they supported Harrison loyally, if not enthusiastically, upon his receiving the nomination. Providence gave Harrison 703 and Van Buren 279 votes.

Much was said regarding the mineral possibilities of the state this year, and so confident were many people, some of whom were mining experts, of the presence of rich veins of coal within the Providence city limits that the city appropriated \$2,000 for experimental puposes. Borings were made in the northern section of the city, but although the presence of coal was clearly established, the vein was too thin to admit of remunerative mining.

The Whigs made no contest against the coalition combination in 1837, and Francis and his associates upon the Democratic-Republican and Anti-Masonic tickets had no opposition, except from the Constitution party, which nominated William Peckham of South Kingstown



for Governor. Lieutenant-Governor Hazard declining to be a candidate again, Benjamin B. Thurston was nominated for the second place on the ticket. Peckham received 946 votes. Providence gave him 345 votes and Francis only 231. Any candidate was more acceptable to the freemen of that city than one of the Democratic stripe.

In August the Whigs rallied and elected their candidates for Congress, Joseph L. Tillinghast of Providence, and Robert B. Cranston of Newport, by about one thousand plurality over Dutee J. Pearce and Jesse Howard of Cranston, the Democratic candidates. William Sprague, Mr. Pearce's colleague, had declined a re-election, and, just before the close of the campaign, wrote a letter to ex-Senator De Wolf, in which he announced his withdrawal from the Democratic-Republican party, because, as he believed, its national policy was antagonistic to Rhode Island interests.

In January, 1837, a law was passed to increase the license fee of liquor sellers. The fee for hotel keepers and retailers was placed at from \$5 to \$25, and for those selling by the quart or gallon at from \$5 to \$20. The state was to receive \$2 on each license. The law was unsatisfactory and was repealed at the October session following. A resolution introduced in the house by Thomas W. Dorr, to call a constitutional convention, was rejected by a vote of 17 to 39. Another resolution of Mr. Dorr's, instructing Rhode Island members of Congress to favor the abolition of the slave trade, and of slavery in the District of Columbia, was rejected—7 to 47. A resolution, offered by Jonah Titus, instructing Senators Robbins and Knight to vote to expunge the resolutions censuring President Jackson for his action regarding the surplus revenue, which had been passed by the senate in March, 1834, led to a heated political debate, but it was finally adopted by the house by a vote of 32 to 28. A resolution opposing the annexation of Texas was also passed by the house. A bill allowing banks to issue post notes was passed by thirteen majority, and an act was passed restricting bank loans to certain percentages of capital and deposits.

In 1838 legislation in revision of the criminal code led to lengthy discussion in the house before the Governor, Lieutenant-Governor and the senators, who were present by invitation. The death penalty for wilful murder, arson and treason, were retained by narrow majorities, but in many cases former penalties were modified. A bill was passed forbidding the bringing of slaves into the state, and providing for their emancipation if the law was violated. An act protecting banks during the temporary suspension of specie payments was passed. A new license law, forbidding sales to habitual drunkards or on Sunday, and providing for local option, was enacted. Under this law, in August, Providence declared against license by a vote of 411 to 333. This experiment in prohibition was unpopular among business men.



Petitions for the repeal of the act were presented at the October session of the assembly and a repeal bill was introduced at the session in October. Its advocates contended that the prohibition of the liquor traffic was ruining the business of Providence, as many outsiders who were wont to trade there were then going elsewhere. The house, however, refused to repeal the act by six majority.

At the January session an amendment to the election law, allowing certificate voters to ballot for members of the general assembly, passed the house by a vote of 28 to 23, but was rejected by the senate. The proposition was accepted, however, at the June session, by both houses.

Encouraged by their success in the congressional election in the previous August, the Whigs held a state convention in January, 1838, and nominated William Sprague<sup>1</sup> and Joseph Childs for Governor and Lieutenant-Governor. The Democrats renominated Francis and Thurston. Sprague was elected by 381 majority in a total vote of 7,587. In August, certain Providence Whigs favorable to the claims of Tristram Burges as a candidate for United States senator, made nominations for representatives in opposition to the regular Whig ticket, but they were unable to defeat the latter. On November 3, Nathan F. Dixon of Westerly was elected United States senator by a vote of 54 to 26 for Benjamin B. Thurston.

Sprague and Childs were opposed in 1839 by Nathaniel Bullock, of Bristol, and Thurston, the Democratic candidates, and by Tristram Burges, who was brought forward by certain dissatisfied Whigs. Burges's candidacy prevented an election, although he received but 457 votes. Mr. Sprague lacked 179 of a majority, and, as Lieutenant-Governor Childs also failed of an election the state again found itself without an executive head. Seven of the ten senators had been chosen and, as no further elections could be held under the latest change in the election law, Samuel W. King, the first senator, acted as Governor during the year. There was a difference of opinion, however, as to the authority of the general assembly in the matter, and heated discussions took place regarding the right of the general assembly in grand committee to fill the vacancies. A new license law was passed this year. Among its features were the prohibition of Sunday sales, and of sales to habitual drunkards. An act was also passed authorizing school committees to assess parents of pupils to sustain public schools in towns which failed to make adequate provisions for the purpose. From the first annual report concerning the public schools, issued this year by the secretary of state, it is learned that Providence, New-

<sup>1</sup> Anti-Masonry was now a dying issue, but the acceptance of this nomination by their leading champion called for some explanation, and, according to the political gossip of the day in Democratic circles, Mr. Sprague excused himself for his previous affiliation upon the ground that his father (recently deceased) had compelled him to antagonize the Masons.

port and Bristol had been provided for some time with convenient public school houses, and that eight other towns had taken measures to erect school buildings.

As, according to the election law then prevailing, the loss of one of the six senators, from death or other cause, would have left the state without a government, the assembly at the June session passed an act, empowering the speaker of the house, in case of such vacancy, to issue a warrant for a new election, which should be decided by a plurality vote. As a large number of freemen of Providence had petitioned for a repeal of the city charter, an act was passed submitting the question of repeal to the freemen of the city, but requiring a three-fifths vote to secure the change. The special election under this act was held on the last Wednesday of March, when the repeal party was decisively defeated, they polling only 221 votes to 628 against repeal. At the same election the freemen decided by a vote of more than two to one in favor of establishing a high school.

In August, Messrs.<sup>h</sup> Cranston and Tillinghast were re-elected to Congress by about 400 plurality over Benjamin B. Thurston and Thomas W. Dorr, the Democratic candidates. Mr. Dorr, who, up to within a year or two, had been quite prominent in the Whig party, was now opposed to it, as he found the Democratic policy in state politics more favorable to the suffrage movement. Petitions published in New York papers, asking the national government to establish a republican form of government in Rhode Island, caused considerable indignation among the Whigs, and a state convention was held in South Kingstown in November, to protest against outside interference in Rhode Island affairs.

Samuel Ward King, who, as the first senator, had performed the duties of Governor throughout 1839, was nominated for that office by the Whigs in 1840, and Byron Diman of Bristol received the nomination for Lieutenant-Governor. The Democrats placed the name of ex-Governor Francis at the head of their ticket, with that of Nathaniel Bullock of Bristol for the second place. Francis declined the nomination, and Thomas F. Carpenter, a Providence lawyer, was nominated in his place. The Whigs taunted the Democrats with the fact that over half of the nominees on their prox, including the two chief ones, were of Federal antecedents, and some of them even defenders of the Hartford convention. The vote was the largest that had been polled since 1818, and King was elected by a majority of 1,311. His vote—4,797—was the largest that had ever been given a candidate in the history of the state, and the 3,418 which Carpenter received would ordinarily have been a large one for even the winning party. This was really the last contested election under the charter, as the Democrats made no nominations the next year, and made little effort to elect their ticket in 1842, as a large proportion of them did not acknowledge

the validity of the charter government after the adoption of the People's constitution.

Several important acts were passed at the January session in 1840. Among them were a new militia law; an act condemnatory of lotteries; one providing for free vaccination, at the option of the town councils, every fifth year; an act allowing school committees to set apart \$10 every year for the establishment of school libraries; and a law forbidding the employment in factories of children under the age of twelve years, unless they could show proof of having attended school at least three months during the preceding twelve months. The resolution regarding lotteries recited their evil effects and declared that no more ought to be granted, and that the sale of lottery tickets for enterprises outside of the state should be prohibited. An act was passed requiring October sessions of the general assembly, not then held by law at South Kingstown, to be held alternately at Bristol and East Greenwich, and that the adjournments from the October sessions should be held in Providence. A proposition to build an addition to the State House at Providence encountered the determined opposition of many of the country members, who feared that it would take \$20,000 to satisfy the "fine notions" of the people of Providence.

The general assembly met in grand committee on October 29, 1840, and elected James F. Simmons of Johnston, United States senator in place of Nehemiah R. Knight, whose term would expire on March 4, 1841, and who had been in the senate since March 4, 1820. Mr. Simmons had been a representative from his town for several years, and was one of the leading Whigs of the state. He received 53 votes to 24 for Samuel Y. Atwell of Glocester, the Democratic candidate, and 2 for Tristram Burges.

Rhode Island had given its electoral votes for Van Buren in 1836, but this year, with the same candidates confronting each other, the defeat of the Democratic ticket was a foregone conclusion. The Democratic attitude on the tariff question was making the state solid for the Whigs, and the strength of the latter was increased by the log cabin and hard cider appendages to the Whig campaign, which, much to the Democratic disgust and dismay, were prominent features of the contest in the state. The vote was: Harrison, 5,278; Van Buren, 3,301. The Whig state and congressional tickets were elected without opposition in April, 1841. The time for the congressional election had been changed at the previous January session from August to April.

Resolutions in favor of the sale of the public lands, and the division of the proceeds among the states; in favor of the re-establishment of the United States bank; and in opposition to the sub-treasury scheme, passed the assembly at the January session in 1841. The vote in the house on the first proposition was unanimous, on the second 39 to 23, and on the third 40 to 20. The debates over these measures, between

ex-Senator Robbins—now a representative from Newport—and Senator-elect Simmons, on the one side, and Samuel Y. Atwell, an able Democratic lawyer from Glocester, attracted considerable attention. A warm debate also took place at this session over a proposed act to exempt debtors for sums of less than \$20 from imprisonment from debt. It was finally rejected by the house. The assembly altered the license law again this year. The license fees, one-fifth of the proceeds of which was to go to the state, were increased. Sales were forbidden on Sunday, to intoxicated persons, habitual drunkards or minors, and no debts incurred for quantities of liquor less than one quart were to be recoverable by law.

An act was passed at the June session for the “relief of married women in certain cases”. It provided that a married woman, not living with her husband, coming into the state and residing here for two years, could transact business the same as a single woman, without interference from her husband; that he could not take her children from her, unless she was proved to be immoral or otherwise unfit to have their management; and that if the husband and wife should become reconciled, and live together, his control of her property and financial affairs should date only from his renewal of his marital rights. An attempt was made to repeal certain portions of the law at the October session, and it was charged in the course of the discussion which ensued that the degree of emancipation accorded unfortunate wives by the legislation was enacted for the express benefit of one Madame Hautreville, whose father’s money had been an influential factor in securing the legislation. This insinuation against the integrity of the promoters of the act was indignantly denied, and was afterwards withdrawn. The repeal bill failed of passage, the vote standing 24 to 41.

Benjamin Hazard of Newport, who had been a conspicuous factor in Rhode Island legislation for many years, died on March 10, 1841. He was a graduate of Brown University, was first elected to the house in August, 1809, and was re-elected successively sixty-one times. The August previous to his death he addressed a letter to his fellow townsmen declining again to be a candidate on account of ill-health.

## CHAPTER XX.

### THE DORR WAR AND ITS RESULTS.

The question of a new constitution, or rather the formation of a written constitution to take the place of the charter granted by King Charles II, in 1663, had been agitated now for about fifty years, and matters were fast approaching a crisis. The advocates of the reform, though actuated by various motives, were chiefly confined to three classes—the non-freeholders, those who believed that the freehold qualification for votes was in a measure rendered nugatory by fraudulent practices; and the people of Providence and other fast-growing towns which were inadequately represented in the general assembly under the charter,<sup>1</sup> and for which there was no redress. The suffrage was limited by the terms of the charter to citizens otherwise qualified who were owners of a certain amount of real estate, and to the oldest sons of such freeholders. The minimum value of the real estate required to constitute the owner a freeholder had varied, at different times, but since 1798 it had been \$134. In the old farming towns under the freehold system, the number of freeholders was practically stationary, but in Providence and the large villages it had become the practice to divide small tracts of land into house lots, so-called, and these lots were conveyed to individuals who would vote as the grantor desired; the grantor retaining the grantee's note for a sum above the actual worth of the land for his security, and which could be used as a voucher to prove to the assessors of taxes that the lot was of a value sufficient to constitute the alleged owner a freeholder. The extent to which this system of fraud was carried in 1840 so irritated

<sup>1</sup> By the provisions of the charter Newport, then the largest of the four towns, was to have six deputies (representatives); Providence, Portsmouth and Warwick, four each; while each new town was to have two. The relative importance of the towns had greatly changed since the seventeenth century, and the injustice of the charter representative provisions was becoming more and more apparent with the increased growth of the factory towns, and of Providence, the great centre of the cotton manufacturing interest. Providence had 23,172 inhabitants in 1840, and Smithfield, which had increased its population by more than 40 per cent. since 1830, had 9,584, while Newport, which had three times her representation, had only 8,388, and Portsmouth, with four members to Smithfield's two, had only 1,706 souls, and was actually retrograding in population. Other fast-growing towns were Cumberland, with 5,225 inhabitants, Warwick, with 6,726, North Providence, with 4,207, and Bristol, with 8,490.

the freeholders, or a large portion of them, that they preferred giving up their freehold privileges directly by an enlargement of the suffrage, rather than to be defrauded in this manner.

The genuine landholding electors were generally substantial, well-to-do people, and their leaders, the men who became governors, senators and members of assembly, belonged chiefly to old and wealthy families, and "lived in roomy, substantial colonial houses, where they dispensed a liberal hospitality in the midst of the memorials of an ancestry of which they were as proud as any feudal nobles". These leaders generally opposed the enlargement of the suffrage as an innovation which would place the substantial, conservative citizens and their property at the mercy of an "irresponsible rabble". They had therefore, as a class, constantly opposed all movements in the direction of an enlargement of the suffrage.

But the growth of the state incident to the great growth of its manufacturing industries had largely increased the number of non-freeholders who would have been qualified to vote in almost any other state in the Union. Besides the factory class, there were large numbers of mechanics, tradesmen and their employees, people engaged in transportation, and laborers generally. And besides all these classes, there were the younger sons of the freeholders themselves. These men were disfranchised by the accident of birth, and many of them joined in the growing suffrage movement.

In the fall of 1840, the subject of a written constitution, securing an extension of the suffrage, and a more equal representation, with other reforms, was again agitated in the state, and an organization, called the Rhode Island Suffrage Association was established in Providence. Similar associations were formed in other towns, and frequent meetings were held in the cause. The declaration of principles by the association was based upon the assertion that all men were created free and equal, and that the possession of property should create no political advantage. It maintained the right of the people to meet by delegates and form a constitution, without regard to the absence of any such authority for such proceedings in the terms of the charter. This theory of the suffrage party was forcibly expressed in the famous question of a suffrage orator, "If the sovereignty don't reside in the people, where the — — does it reside?"<sup>1</sup>

In November, 1840, a paper, devoted to the suffrage cause, was established in Providence. It was called the "New Age", and was non-partisan in politics. The Providence Herald, the leading Democratic paper in the state, which had opposed suffrage extension twelve

<sup>1</sup>The Suffragists did not recognize the fact that sovereignty resides in the people, not as individuals or as a group of individuals, but only as a body politic. As Cooley says in his *Constitutional Limitations*: "As a practical fact, the sovereignty is vested in those persons who are permitted by the Constitution of the State to exercise the elective franchise."



years before, now joined in the movement; while the Providence Journal, which had advocated the cause most ably nearly a score of years before, was now for some time non-committal, and admitted communications upon both sides of the question. When the crisis arrived, however, it was a potential and an uncompromising champion of the charter government.

At the January session in 1841, a memorial was received from the large and populous town of Smithfield, praying the general assembly to take the subject of the extreme inequality of the existing representation from the several towns under consideration, and "in such manner as seems most practicable and just to correct the evil complained of". At the same session, printed petitions, bearing the names of Elisha Dillingham and about 580 others, were presented, praying for the abrogation of the charter and the establishment of a constitution, and asking especially for an extension of suffrage to a greater portion of the white male citizens of the state. This latter petition was laid on the table, but the Smithfield memorial was referred to a select committee of the house, of which ex-Senator Robbins was chairman. The committee reported in favor of adopting measures for calling a constitutional convention, and, after considerable discussion, resolutions were adopted asking the freemen at the August town or ward meetings to elect delegates, equal in number to the representation of the several municipalities in the general assembly, to attend a convention to be holden at Providence on the first Monday of November, 1841, to frame a new constitution, either in whole or in part, and if in part, to take into "especial consideration the expediency of equalizing the representation of the towns in the house of representatives". The resolution passed by a vote of 37 to 16, and it is a significant fact that the Providence Whig delegation voted solidly against it.

This convention, like all previous ones, was to be elected by the "freemen", or qualified electors only, and was regarded by the suffragists as a mere expedient to deceive the advocates of the reform without yielding them any advantages. Determined, therefore, to take independent action, the suffragists called a mass meeting of the friends of extended suffrage to meet in Providence, April 17, 1841. The day was ushered in by the ringing of church bells. A great procession, headed by butchers in white frocks, marched with bands and banners to Federal Hill and participated in a barbecue, the main features of which were a roasted ox, calf and hog, a loaf of bread ten feet long and two feet wide, and several barrels of beer. The procession, which was declared to have numbered over three thousand male adults, after the feasting repaired to the State House, and listened to suffrage speeches. Large parades were infrequent sixty years ago, and this one attracted a great deal of attention. Among the mottoes borne by the marchers were "Worth makes the man, but sand and

gravel make the voter!" and "Virtue, patriotism and intelligence, versus \$134 worth of dirt!" Speeches were made at the State House by ex-Congressman Dutee J. Pearce, Samuel Y. Atwell and General Martin Stoddard. On May 5 another great suffrage meeting was held in Newport.

The meeting at Newport in May had adjourned to meet at Providence on July 5, which was to be observed as Independence Day, the 4th being Sunday. This meeting was attended by young men from every town in the state, and was one of the largest assemblages of people that had ever been held in Rhode Island up to that time. A long procession, in which were two of the independent military organizations of the state, escorted the speakers to the Dexter Training Ground, upon which the meeting was organized. Many freeholders were present and participated, although a majority of the existing voters did not countenance it. Resolutions were adopted ordering the calling of a convention to frame a constitution, and the unanimous vote of the meeting pledged its members to sustain and carry into effect such a constitution, if adopted, "by all necessary means." On July 24, 1841, the state committee issued a call for the election of delegates to a convention to meet in Providence, October 4. Every male American citizen, twenty-one years old, who had resided one year in the state, was entitled to vote, and the delegates were apportioned strictly on the basis of population. On August 28 delegates were elected under this call from nearly every town in the state. Three days later, at the regular town meetings, delegates were elected to the convention called by the general assembly, and which was termed the "Landholders' Convention," to distinguish it from that called by the suffrage party.

✍ The People's convention convened at the State House in Providence, on October 4, and lasted from Monday till Saturday. The ruling spirit in the convention was Thomas W. Dorr, who had begun his public efforts in behalf of the suffrage cause in the general assembly in 1834, and who, as a member of the convention called that year, had unavailingly attempted to secure an expression from it favorable to the reform. Under Mr. Dorr's leadership a constitution was adopted which granted many of the reforms advocated by the suffragists, but which, owing to the varied interests and opinions of the delegates from the several towns, did not come up to the standard of excellence contended for by the most radical participators in the movement. Many of the features of the charter were retained, while an effort was made to bring them into harmony with modern ideas. A strong effort was made to include negroes among those entitled to the suffrage, but, although it received the support of Mr. Dorr, it failed of success.

The Landholders' convention met at the State House on November 1, and although many of its delegates had become convinced that some

concession to the demands of the people had become necessary, the majority were determined to cling fast to the old order. A constitution was drafted which retained the freehold qualification, and whose only substantial improvement was an equalization of the representation. After framing the constitution the convention adjourned until February to get the sense of the people regarding their work. Mr. Dorr and Mr. Atwell were elected delegates to both the People's and Landholders' conventions. Mr. Atwell, while professing to believe in the legality of the people's movement, did not participate in their convention, but attended and took a prominent part in the one called by the assembly. Mr. Dorr, on the other hand attended both conventions. He made several abortive attempts in that of the landholders to secure an endorsement of the action of the popular convention, and failing in that, to persuade the convention to accept the reforms for which the suffragists were contending. Ex-Congressman Dutee J. Pearce was a leading member of the People's convention, and, after Dorr, was held in the greatest detestation by the charter party.

The People's convention met by adjournment on November 18, 1841, and directed its constitution to be submitted to the votes of the people enfranchised under it, on December 27, 28 and 29. On these days, accordingly, the vote was taken. Each voter was required to state in writing on his ballot whether he was or was not a qualified voter under the existing laws. By this method the exact standing of every voter was ascertained, a fact that was clearly shown in the investigations that were subsequently held by both state and national governments. On January 12, 1842, the People's convention met again, counted the votes, and announced that 13,944 had been cast for the constitution and only 52 against it. An analysis of the vote showed that 4,960 of the total had been cast by freemen, and 8,984 by non-freemen. The committee which drew up the returns claimed that the total number of people in the state qualified to vote by an enlarged suffrage was 23,142, of which 13,944 was a large majority. The exact number of freemen in the state was not known, but it was generally believed that the 4,960 constituted an actual majority of the legal voters of the state. Thus it was claimed by the suffrage advocates that the People's constitution represented the wishes of both the restricted and enlarged electorates. The entire movement was of course in contravention of the provisions of the charter, and utterly without legal sanction. This fact, it is true, was admitted by the participants in it, but they contended that the people by whose authority or with whose consent—either expressed or tacit—all governments existed, always possessed the right to change their form of government at will.

The Governor and the general assembly, constituting the lawful authorities, utterly ignored the movement. Their action, however, in January, 1841, and at subsequent sessions showed that they recognized

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the serious nature of affairs. At the May session, on motion of Mr. Mowry of Smithfield, the apportionment of the delegates had been changed so as to base it upon population. And at the session in June a memorial from the Suffrage Association, asking that legal citizens who paid taxes upon real estate or personal property be permitted to vote upon the adoption of the proposed constitution, was warmly discussed by Messrs. Atwell of Glocester and Ames of Providence, respectively in favor of and against the proposition, and was lost, the vote being ten to fifty-two.

At the opening of the January session, in 1842, Mr. Atwell introduced resolutions in the house providing for the acceptance of the People's constitution. A copy of the constitution, together with a certification of the vote upon it, had been transmitted to the general assembly by direction of the convention, and many of the more sanguine suffragists entertained the hope that the assembly would accept the constitution as in accordance with the undoubted will of the people. Mr. Atwell's resolutions were supported by Messrs. Gavitt, J. H. Clarke and W. S. Burges, and opposed by Messrs. Randolph, Cranston, Dixon, King, Bosworth, Spencer, Whipple and others, and were lost by a vote of eleven to fifty-seven. Mr. Barber of Hopkinton then presented resolutions condemning the actions of the People's convention, and they were accepted by a vote of sixty to seven. An act was passed providing that persons qualified to vote by the provisions of the new constitution should be qualified to vote on its acceptance.

The laws against masonry had been a dead letter for some time, and at this session, Mr. Atwell presented an act repealing the forfeiture act of February 1, 1834, and the hostile legislation of January 27, 1835. The repeal act passed the house by a vote of 37 to 17, and was accepted by the senate. This ended the public war against free masonry in Rhode Island.

In February, 1842, the Landholders' convention reconvened. The preceding events, and especially the fact that a large percentage, if not a majority of the freemen, had accepted the suffrage constitution, had convinced the conservative members that some concession was necessary. The draft of their own constitution was therefore reconsidered, and its suffrage provisions were extended. But as the convention had previously refused to give the eldest sons of freeholders the ballot, many believed that the actual number of votes would be lessened instead of increased. Mr. Dorr attended this convention, and took an early opportunity to offer a motion that the body adjourn without day, in view of the acceptance of the People's constitution by popular vote. His motion was rejected—11 to 51. The convention voted to submit its constitution to popular vote on March 21, 22 and 23, and a warm contest took place over it between the charter and the suffrage parties. Great efforts were made by the former to secure its acceptance. The

opinion of the Supreme Court to the effect that the action of the People's convention was unlawful and revolutionary; and the opinions of the senators and representatives in Congress and of all the ex-Governors of the state, and of various other prominent public and private personages were obtained to the same effect. To offset in some measure the judicial and congressional thunderbolts against their document, the Suffragists published the opinions of Judge Pitman of the United States District Court, and of nine Democratic lawyers, to the effect that they considered the People's constitution to have been legally adopted. Many of the Suffragists, however, were disposed to drop the People's constitution, and, by accepting the practical benefits of the Landholders' constitution, avoid any trouble. That was undoubtedly the most prudent course for them to have adopted, as they would have thus secured more than was again likely to be conceded to them by the freeholders. But Mr. Dorr was a radical, and would make no compromise. "The People's constitution," he said, "has been adopted, and is the law; this device of our enemies to perplex the decision should be voted down." His advice was followed. In a total vote of 16,702—nearly three thousand more than had voted for the People's constitution—8,013 voted for and 8,689 against the Landholders' constitution.

A special session of the general assembly had been called to meet in March, and after the rejection of the Landholders' constitution, Mr. Atwell moved that the People's constitution be submitted to a vote of the freeholders. The motion was lost—three to fifty-three. A resolution warning the people against unlawful acts, was passed by a vote of sixty to six, and a bill introduced by W. S. Burges, for an extension of suffrage, failed, four to sixty.

The suffrage party held numerous meetings, at which the people were called upon to be ready to enforce the popular will by arms, if necessary. Armed bands were organized and drilled and almost nightly paraded the streets, and two or three chartered military companies decided to support the suffrage cause. In consequence of these threats to resist the constituted authorities, the charter party, who were called "Algerines" by the suffragists, because of the alleged tyranny of their measures, assumed for themselves the name of the "Law and Order" party. Governor King convened the general assembly in extra session on April 25, to take precautionary measures to preserve the public peace. An act was passed to "prevent riots and tumultuous assemblages", by the terms of which it was made "a misdemeanor, punishable by fine and imprisonment" for any person to act as moderator or clerk at any election meeting under the People's constitution, and treason for any one to accept office under it.<sup>1</sup> At the same time the assembly

<sup>1</sup>This act made a person who allowed his name to be used as a candidate in elections other than those held in accordance with state laws, subject to a year's



gave Governor King authority to take such measures as he should deem best to protect the public property, to fill vacancies, should any exist among the officers of militia, and to grant commissions, at his discretion, to officers of independent companies. A board of councillors, consisting of Lieutenant-Governor Diman, ex-Governors Fenner and Arnold and four others was chosen to advise with the Governor, and the inhabitants of Providence were authorized to organize special police companies to assist in "the prevention or suppression of any tumult, riot or mob in said city". Governor King warned the militia to be in readiness for service at thirty minutes' notice. The passage of this act caused many of the more conservative of the Suffragists, who had never intended to resort to force, to withdraw from the organization and submit to the constituted authorities.

But meanwhile, Mr. Dorr and the leaders who stood by him were struggling to set up the People's government. After counting the votes, the People's convention had, on January 13, 1842, passed resolutions, declaring the constitution to have been duly ratified and adopted by a majority of the people of the state, and directing the officers of the convention to make proclamation in due form that the said constitution was to be henceforth the supreme and paramount law and constitution of the state. The proclamation was made, and an election was held under the new (People's) constitution on April 18, 1842, resulting in the election of Thomas W. Dorr as Governor, a general assembly, and the usual elective state officials. The People's assembly met in Providence on May 3, received Governor Dorr's inaugural message, and after remaining in session two days, during which a few unimportant acts were passed, adjourned to meet in Providence again on the first Monday in January. It never reconvened, as the movement was suppressed.

On April 20, came the regular charter election. To the law and order candidates, Samuel W. King and Nathaniel Bullock, was opposed a Democratic, or Suffragist ticket, with Thomas F. Carpenter for Governor and Wager Weeden for Lieutenant-Governor. Many of the Suffragists, however, declined to recognize the validity of an election held under the charter and took no part. King was elected by 2,648 majority, Carpenter's vote being only 2,211. Only ten Suffragists were elected to the assembly.

Governor King in April sent a committee, consisting of John Whipple, John Brown Francis and Elisha R. Potter, to Washington to acquaint President Tyler of the situation in Rhode Island, and to solicit aid from the general government in maintaining the constituted officers

imprisonment and \$2,000 fine, and any one who assumed a state office because of such election would be deemed guilty of treason and subject to life imprisonment. This act was called by the Suffragists the "Algerine Law", in comment upon its arbitrary nature.



in authority. He also wrote directly to the President to the same effect. President Tyler declined to interfere previous to an actual outbreak, but promised, if an insurrection should take place, to aid the established government if such a course should become necessary.

The "inauguration" of Governor Dorr had been accompanied by a show of force. Two military companies, with muskets loaded, as was claimed, with ball cartridges, had accompanied the procession of two thousand persons who escorted the "People's" Governor and general assembly to the place of meeting. The Law and Order party had closed and barricaded the State House, and the new government was forced to meet in an unfinished building intended for a foundry. Had the Suffragists at once broken into the State House and taken possession of it and of the arsenal they would probably have succeeded, as public sentiment, in Providence at least, was considerably in their favor.<sup>1</sup> But, although Mr. Dorr was in favor of such a course, most of the other leaders feared to take so radical a step. The legal general assembly met at Newport the same day (May 3) and all the leading state officials were away. It was the most favorable time for the accomplishment of the Suffragists' purpose, to take possession of the state government, that could have been chosen, but the leaders hesitated, and their followers immediately began to fall away.

On May 4 a member of the People's legislature was arrested under the law recently enacted, and the arrest was followed by several others. This action frightened timid members and numerous resignations took place, so that, had the "assembly" again convened, it would doubtless have been without a quorum in either house. Mr. Dorr went to Washington to request military aid of the general government, but was of course unsuccessful. On his return he issued a proclamation, assuring his followers that if the United States interfered against the people's cause, aid had been promised from other states, especially from New York, and that force would be met with force.

The Law and Order assembly met at Newport on May 4 and passed resolutions declaring that a state of insurrection existed, and asking for the interposition of the authority and power of the national government. Governor King despatched Representatives Randolph and Potter to Washington as messengers to President Tyler, and awaiting the latter's answer, the assembly adjourned from the 6th till the 11th of May, when the Governor informed the two houses of the result. The President declined to intervene before the commencement of hostilities, and would not at all unless satisfied that the state authorities would "be unable to overcome" the insurrectionists. He tendered the Governor, however, the assurance of his "distinguished considera-

<sup>1</sup> The records show that 1,060 freemen and 2,496 non-freemen, or 3,556 in all, voted in Providence for the People's constitution. The vote of Providence in well-contested elections, had seldom exceeded one thousand.

tion." But such as it was the assembly ordered copies of the President's letter to be printed and circulated, together with Governor King's proclamation, as a warning to the Suffragists to desist from their unlawful practices.

During Mr. Dorr's absence, both parties were pushing on military preparations. The charter authorities had caused the militia companies to be filled up and drilled, had placed a guard in the state arsenal, a strong stone building containing several pieces of artillery and a quantity of small arms and ammunition, had called upon the citizens to arm for the defense of the city, and had furnished all who applied with arms for this purpose. The Suffrage people were also doing all they could in the same direction, but, although they succeeded in collecting a considerable quantity of arms, a portion of which came from without the state, they experienced some difficulty in finding men to use them.

Finally, on the 18th of May, Mr. Dorr determined to attack the arsenal and take possession of the property there. He had, all told, according to his own statement, but two hundred and fifty men and two pieces of artillery. They started for the arsenal at two o'clock in the morning, and many of Dorr's forces, knowing that they were greatly outnumbered, slipped away in the darkness. A summons to surrender was contemptuously refused, whereupon more men deserted, including Dorr's second in command. To render the situation worse, some one had treacherously disabled the guns, so that when the match was applied they flashed without result. Finally Dorr retreated with thirty-five or forty men, all that remained at the end of this bloodless battle. Dorr fled to Connecticut, and was in hiding for some time, but returned in the latter part of June to the village of Chepachet in the town of Glocester, which had become the headquarters of the People's party. A force of nearly three hundred men, with five cannon, was collected, and preparations were made to resist the Law and Order forces. The state militia to the number of about three thousand, assembled at Providence and marched against Chepachet on the morning of June 28. Aware that resistance was useless, Dorr dismissed his small forces and again fled to Connecticut. The only blood shed during this entire trouble, which is known in history as the "Dorr War", was in Pawtucket village, where some of the militia on June 27th fired into a riotous crowd, and killed an innocent spectator named Alexander Kelby. A good many arrests of persons suspected of taking part in the Dorr movements were made, and doubtless in some cases the triumphant militiamen who were sent to search houses were rough and brutal in their treatment of the suspects and their families. Most of the persons arrested were discharged after examination, but several were imprisoned and subsequently tried and sentenced for treason.

A reward of five thousand dollars was offered for Dorr's arrest, and

he was pursued by a party which included some of his own relatives, but he escaped and found a refuge in New Hampshire, where Governor Hubbard received him with honor, and refused to surrender him.

At the June session of the general assembly, in 1842, a resolution by Mr. Clarke, calling a constitutional convention, passed the house by a vote of fifty-four to one, after an amendment by Mr. Daniels, extending the privilege of voting on the adoption of the constitution to all male citizens, had been rejected by a vote of six to fifty-eight. The Governor was authorized at this session to proclaim martial law whenever, in his judgment, such action should be necessary and the assembly afterward declared martial law to be in force until suspended by the Governor.

The constitutional convention met at East Greenwich in September, elected ex-Governor Fenner as presiding officer, and proceeded to form a constitution. It completed its labors on November 5, the document was submitted to the people on the 21st, 22d and 23d of the same month and was accepted by them by a vote of 7,032 to 59. The suffrage people generally, on the advice of their leaders, abstained from voting. In submitting the constitution the question of confining the suffrage to white male citizens had been left to the decision of the voters, and 1,798 had voted for such restrictions, and 4,031 against it. Thus it happened that the Algerine constitution gave the colored citizens of the state citizenship privileges which the People's constitution had refused them. In consequence of this feature of the constitution the assembly repealed the act of June, 1841, whereby blacks and other people of color, not freemen of the state, were exempted from taxation. The assembly also passed an act to regulate the election of civil officers and provide the minor changes necessary to conform to the provisions of the new constitution. A resolution by this last assembly under the charter—a body which was overwhelmingly Whig in its political principles, shows the regard in which ex-President Jackson was really held by his political opponents. It passed a resolution instructing the Rhode Island senators and representatives in Congress to use their exertions to secure the passage of a law for the repayment of the fine imposed upon him a generation before by the United States District Court in Louisiana, that he might "be solaced by the reflection that every imputation upon his character had been removed".

Although the Democrats and Suffragists had abstained from voting for or against the constitution, they were satisfied that resistance to its provisions would be useless, and they resolved to contest the April election in 1843. By the advice of Dorr and other leaders, the newly enfranchised citizens of liberal sentiments had registered in considerable numbers, and the suffrage leaders were hopeful of carrying the election. Thomas F. Carpenter and Benjamin B. Thurston were placed at the head of their ticket, while the Law and Order party

nominated ex-Governor James Fenner for Governor, and Byron Dimon for Lieutenant-Governor. The total vote was 16,520, of which Fenner received 9,107 and Carpenter 7,392. Providence, in which 2,529 non-property voters had registered, and whose whole voting list contained 4,235 names, gave Fenner 2,118 and Carpenter 1,733 votes. The senate contained 24 Whigs and 7 Democrats, and the house 53 Whigs and 19 Democrats.

The passing of a government which had been in existence for one hundred and eighty years and the installation of a new and untried one was an occasion of considerable solemnity. In a monarchy considerable form and pomp would have been displayed, but the Rhode Island change was carried out on election day at Newport in a very simple fashion. The affair took place in the little State House. Most of the members of the old assembly were re-elected for the new one. The charter assembly met in grand committee and appointed a joint committee of nine members<sup>1</sup> to be present at the organization of the government under the constitution and make report, in order that the charter general assembly might know when its functions had been ended. This done, the two houses of the new assembly were called to order, and met in grand committee with Governor King in the chair. The votes for state officers were canvassed and the result announced. Then a committee of ten, three of whom were members of the charter committee, entered to inform the dying assembly that the government under the constitution was duly organized. The two grand committees were both in the house chamber, and Governor King, without leaving his seat, called the charter one to order again. It received the report and then ordered itself dissolved.

Under the new constitution the senate, which had been composed of ten members, elected on the state ticket, was increased to thirty-one members, one from each town and city, elected by the individual municipalities. The membership of the house was the same as under the charter, but members were distributed according to population with certain limitations. Every town was to have at least one member, and no municipality could have more than one-sixth of the whole. Under the new arrangement Providence's apportionment was raised from four to twelve—one-sixth of the whole number; Newport's was reduced from six to five; Warwick's remained four and Portsmouth's was reduced from four to one. Of the other towns—each of which had two members under the charter, Smithfield's number was increased to six, and North Providence, Cumberland and Scituate each to three; Cranston, Johnston, Glocester, Tiverton, South Kingstown, North Kingstown, Coventry, Bristol and Warren had two apiece; and each of the remaining fifteen towns had one member.

<sup>1</sup> All this committee were Whigs, all but one members of the constitution assembly, and one, the venerable James Fenner, was the Governor-elect.

The Supreme Court was reorganized and a third assistant justice elected at the May session. The thanks of the assembly were voted to Henry A. S. Dearborn, the adjutant-general of the Massachusetts militia, for the loan of arms to Rhode Island during the troubles of the year before, whose action, however, had been disavowed by both the Governor and the legislature of his own state. A new militia law, designed to increase the efficiency of the citizen soldiery in case of internal or external trouble, was passed at the June session of the assembly, and in October money was appropriated to reimburse Colonel William P. Blodget and Stephen Hendrick for money expended by themselves in prosecutions brought against them by the state of Massachusetts for entering a dwelling in Bellingham, during the Dorr war, and arresting several Dorrites, in the execution of a military order.

At the June session in 1843 the state was divided into two districts, to be called the eastern and western districts, and the qualified electors in each were entitled to elect a representative in Congress. At the previous January session the date for the congressional elections had been changed to August. It had been customary for many years to elect one member each from Providence and Newport counties—the two capitals usually furnishing the candidates. Both were now in the eastern district and only one of the sitting congressmen could be re-nominated. As it happened, both retired, and Henry Y. Cranston, a brother of the Newport congressman, was nominated for the position by the Whigs and Law and Order men. Elisha R. Potter received the nomination of the same party in the western district. The Democratic candidates were John H. Weeden of North Providence and Wilmarth N. Aldrich of Glocester. The Whig candidates were elected by large majorities.

The murder, on December 31, 1843, of Amasa Sprague, a representative from the town of Cranston in the general assembly, the head of the cotton manufacturing house of A. & W. Sprague, and a brother of Senator Sprague, caused the latter to resign his seat in the United States senate, and the vacancy was filled on January 25, 1844, by the election by the assembly of ex-Governor Francis. The vote stood 67 for Francis and 26 for Christopher Spencer, whom the Democrats supported.

A new license law was passed in January. It made the maximum license fee for retailers and wholesalers \$50 and \$25, respectively, and gave one-half of the total proceeds from this source to each town or city, and the other half, less two-and-a-half per cent. for collection, to the state. An elaborate election law was also enacted. A noticeable feature of it was a provision by which, in case of bribery, both the giver and the taker were to be punished in equal degree. The militia law was again amended and the formation of independent companies



continued to be encouraged by the bestowal of charters. A law giving married women control over their own property was passed at this session after a lengthy discussion.

Directly after the adjournment of the January session of the assembly a memorial, signed by the eight Democratic members of the senate and the eighteen of the house, was presented in the national house, asking that the right of the sitting members of that body from Rhode Island to their seats be investigated, to ascertain if a portion of the freemen of the state had not been deprived of their right to vote by the suppression of the suffrage government. The memorial caused great indignation among the Law and Order citizens. Governor Fenner called the assembly together in extra session in March to take action upon what he considered an unwarrantable interference of the national government with the internal affairs of an individual state. A joint—committee, composed entirely of Whigs, was appointed to investigate the conduct of the Democratic members. The latter were charged with having violated their oaths to support the constitution, and with having committed virtual treason against the state in calling for the interference of the national government in the internal affairs of the state. Three of the Democratic senators wavered, claiming that they had signed the memorial without clearly understanding its terms, but the rest stoutly defended themselves, declaring that although bound by oath to support the *de facto* constitution, they believed that that of the "People" had been lawfully adopted, and that their opponents had set them the example of asking for national interference in Rhode Island affairs, when they had asked for United States troops to help suppress the government set up under the People's constitution. A series of resolutions, denying the right of the United States to interfere in the internal affairs of the individual states, and censuring the Democratic memorialists was passed by a strict party vote.

Mr. Dorr returned to Providence on October 31, 1843, with the intention of submitting to arrest and standing trial. He went to the City Hotel and calmly awaited the action of the authorities. He was soon arrested, under an indictment for high treason, and was placed in jail without bail. His trial was held at Newport, although the offenses with which he was charged were committed in Providence county. In the absence of his principal counsel, Samuel Y. Atwell, who was detained at home by illness, and who died a few months later, Mr. Dorr conducted his own defense, although he was assisted by Walter S. Burges of Providence and George Turner of Newport. The trial began on April 26, 1844. The jury was drawn from a panel of 108 persons, all but one of whom were members of the Law and Order party, and that one was not drawn. It is now generally conceded that the prisoner was treated with scant courtesy. Some of the judges at times displayed an enmity toward him that would have been considered



brutal had he been an acknowledged murderer. Every ruling was against him, and his conviction was certain from the beginning. He was found guilty of treason, was sentenced to imprisonment for life on June 25, and was immediately incarcerated in the state prison at Providence.

The general assembly again came to the aid of Colonel Blodget and Stephen Hendrick, who were being prosecuted by the Massachusetts courts for violation of Massachusetts territory in the Bellingham affair two years before. At the time of its occurrence, Governor King had disavowed the conduct of the two men, and had surrendered them to Massachusetts upon a requisition from its Governor. The general assembly now passed a resolution appropriating money to pay all costs and fines in the case, declaring that the trespassing officials were obeying orders, and were hence blameless, and requesting Massachusetts to seek redress from Rhode Island rather than from its irresponsible agents.

The national house passed a resolution by a vote of 78 to 71 to send for persons and papers regarding the suffrage question, and a commission of investigation proceeded to Pawtucket in May, established its headquarters at Abell's tavern, on the Massachusetts side of the river, and proceeded to take testimony. The evidence collected, however, was largely of a partisan character, as the Law and Order men generally paid no attention to the commission.

The Dorr trial had attracted wide attention throughout the country. The Democratic press united in condemning the proceedings, and Dorr was heralded as a martyr to the principles of the Declaration of Independence. Nor did the Law and Order people receive much comfort from the Whig papers of other states. Their defense of their Rhode Island political associates was mainly perfunctory—based upon the principal of non-interference with the internal affairs of a sister state, rather than upon the intrinsic justice of the Law and Order cause. Outside newspapers raised a great clamor and demanded Dorr's release. Democratic legislatures and conventions passed resolutions to the same effect, and Whig statesmen, who were fighting for the party in a doubtful presidential campaign, were anxious to be relieved from a situation which was helping to make votes for the enemy. All manner of rumors were spread over the country regarding this political prisoner's treatment in prison. He was kept in solitary confinement in a noisome dungeon; he was not allowed to communicate with or see his wife and children;<sup>1</sup> he was not allowed the use of a Bible, et cetera, et cetera. All this outside comment, interference and slander was extremely exasperating to the Law and Order politicians, but it could not be entirely ignored. At the June session of the assembly resolu-

<sup>1</sup> Dorr was a bachelor.

tions were passed forbidding further prosecutions for treason, and ordering the release of parties awaiting trial in treason cases on writs of *nolle prosequi*.

The two great parties were forming their alignments for the presidential campaign. Polk, the Democratic candidate, was from Jackson's state, and he had been nicknamed "Young Hickory." Democratic campaign gatherings in Rhode Island would parade, plant a hickory pole, and shout for "Polk, Dallas and Dorr!" A great mass meeting to further the cause of liberation, and incidentally of the Democratic presidential nominee, was held on September 4. It was a big affair for that time. Large delegations were present from New York, Massachusetts and Connecticut. Governor Hubbard of New Hampshire and ex-Governor Marcus Morton of Massachusetts were in attendance. Ex-President Jackson and Van Buren, Presidents-to-be Polk and Buchanan, and other leading Democratic statesmen sent letters of regret, expressing their sympathy with the cause. The procession paraded the streets and marched to a grove on Smith's hill, where a hickory pole was planted, and speeches were made. It is noticeable that among the most aggressive of the orators upon this occasion was a young man from Waltham, Massachusetts, who afterwards became a prominent figure in the country's history—Gen. Nathaniel P. Banks. The Democratic organ, the Republican Herald, estimated the crowd in attendance at between 40,000 and 50,000, but the Providence Journal declared that there were only 3,999 people—of whom 550 were women—in the parade, and that no more than 8,000 were at the grove. Such as it was, however, the demonstration alarmed the state authorities. Governor Fenner ordered a regiment of militia under arms, and some of them placed in the prison as a guard; and the application of Walter S. Burges, counsel for Mr. Dorr, for permission to visit his client, was refused.

Failing in the attempt to secure Mr. Dorr's release at this time, the Democrats had to be content with a lesser martyr. One Martin Luther, early in 1842, had been guilty of the heinous offense of presiding at a "People's" meeting after the assembly had declared such action to be criminal, and he had been haled before the Algerine "Diet of Worms" and sentenced to pay a fine of \$500, in default of which he was incarcerated in the jail at Bristol. Shortly before the presidential election the amount of Luther's fine and costs was raised by the Democrats, and a party of them went to Bristol with the money and secured his release. The party in passing through Warren, on their return, were stoned by the Whigs, were refused refreshments by the Whig innkeepers, and were obliged to cross the line into Massachusetts to obtain food.<sup>1</sup>

<sup>1</sup> His arrest gave rise to the celebrated case of Luther vs. Borden, in which

The electoral vote of the state was cast for Henry Clay, the Whig candidate. He received 7,322 votes to 4,876 for James K. Polk, and 107 for James G. Birney, the Liberty candidate.

At the opening of the January session of the assembly in 1845, Governor Fenner transmitted to the two houses a copy of resolutions passed by the New Hampshire legislature regarding the trial and imprisonment of Dorr. The resolutions in substance charged the Rhode Island authorities with unfairness and persecution, and a special committee to which they were referred drew up resolutions in reply, resolving that the said resolutions "marked, as they are, by the grossest falsehood, ignorance and impertinence, are at once disgraceful to the legislature of New Hampshire, and insulting to the government and people of Rhode Island". Resolutions equally irritating from the Maine legislature, which had been referred to Representatives John H. Clarke and William G. Goddard of Providence, were answered in June in terms equally strong but much more elegant. The congressional investigation of the suffrage question in the state had been completed, and the testimony, known as "Burke's Report," comprising a volume of a thousand pages, was being discussed by people and papers of other states.<sup>1</sup> As the report was practically condemnatory of the proceedings of the charter authorities, a commission was appointed by the assembly to "prepare an authentic account of the recent struggle in the state in the cause of constitutional freedom." At the same time a resolution was adopted to liberate Dorr on condition that he should take an oath of allegiance to the state and swear to support the constitution. He declined to accept the conditions.

The assembly passed resolutions at the January session condemning the annexation of Texas.<sup>2</sup> The problem of providing sufficient revenue for the expenses of the state government had always been a difficult one, and the increase of the state in population and the rapid expansion of its industries added to the gravity of the situation. A new expedient to increase the revenue at this session was tried by means of an act requiring fees of from one to ten dollars on all petitions and

Luther brought an action of trespass against the person sent to arrest him. The case finally came before the Supreme Court of the United States in 1848, when the chief question at issue resolved itself as to the legality of the People's government in 1842. Although the court refused to decide the case on the ground that it was not within the authority of the court, the testimony and arguments in the trial, together with the dissenting opinion of Mr. Justice Woodbury as to martial law, make the case of considerable importance. (See Bibliography at close of last volume under DORR WAR, under the names of Luther, Webster, Whipple. See also Rider's *Book Notes*, xvii, 88.)

<sup>1</sup>S. S. Rider has noted certain bibliographical memoranda concerning Burke's Report in *Book Notes*, vol. 5, p. 1. A minority report, called Causin's Report, a document of 172 pages, was also rendered.

<sup>2</sup>In this connection see an *Address to the people of R. I., upon the course of Hon. E. R. Potter, upon the question of the annexation of Texas* [1845].

memorials to the general assembly. The license fees for hawkers and peddlers were also raised to from \$75 to \$200, the maximum rate being charged to sellers of gold jewelry. At the May session the license law was amended so as to allow municipalities to vote upon the question of licensing the sale of intoxicating liquors at their annual elections. In June, 1845, acts were passed, electing a commissioner of public schools; providing that in the event of the neglect of a school district to provide schools, the school committee might do so on its own responsibility; and providing for the employment of prisoners in jails.

As Dorr was fast becoming a national martyr in the popular mind, the Law and Order legislators at last gave way, and a resolution passed both houses on June 27, releasing him and other treason-convicts unconditionally and forbidding further prosecutions under the treason act of 1842. News of the passage of the amnesty act reached Providence at half past three on the afternoon of the 27th, and Walter S. Burges immediately drove in a carriage to the prison and took Dorr to his father's house. As he left the prison cannon boomed from Smith and Federal hills, bells were rung, and a procession of carriages and pedestrians followed the hack which contained the "people's martyr." In the evening Dorr was taken in a carriage to the residence of a friend in the Cranston suburbs. Market Square was packed with his sympathizers as he drove through, and a vast crowd surrounded the house of his entertainer and listened to congratulatory speeches. The stories of the brutal treatment of Dorr in prison were doubtless greatly exaggerated, and many of them were pure fabrications, but the jails and prisons of half a century ago were not healthful residences. Mr. Dorr left prison broken in health and he never recovered his former vitality.

On January 15, 1845, Albert C. Greene was elected United States senator to succeed John Brown Francis. He received 52 votes in grand committee, while Lemuel Arnold and Olney Ballou—the latter the Democratic candidate, were given, respectively, 25 and 18 votes.

The Democrats received many accessions from the Whig ranks in the gubernatorial campaign of this year, chiefly from those who favored the release of Dorr. Charles Jackson, one of these Liberation Whigs, was nominated for Governor by the Democrats, and was elected by a majority of 149. Byron Dimon, however, the Whig, or Law and Order candidate for Lieutenant-Governor, was elected over Robert Hazard, the Liberation candidate, and all of the other candidates on the "Rhode Island Prox" defeated their coalition opponents. In this campaign ex-Senator Lemuel H. Arnold and Senator James F. Simmons espoused the cause of liberation, and the former was nominated by the coalitionists for Congress in the western district against Elisha R. Potter, and was elected by a small majority. In the eastern district Henry Y. Cranston was re-elected without opposition.

## CHAPTER XXI.

### FROM THE DORR WAR TO THE CIVIL WAR.

The liberation of Dorr weakened the coalition against the Whigs, as they regained by that act many Whig votes that had been cast against them in April, 1845. The Democrats, however, renominated Charles Jackson in 1846. Jesse L. Moss of Westerly was their candidate for Lieutenant-Governor. Ex-Governor Fenner was in feeble health,<sup>1</sup> and being no longer available as a candidate, Lieutenant-Governor Diman was nominated for Governor by the Whigs, while Elisha Harris of Coventry was named by them for Lieutenant-Governor. The Liberty (Abolition) party nominated Edward Harris of Woonsocket and Stephen Wilcox of Hopkinton, for Governor and Lieutenant-Governor, respectively, and although they received very few votes, their candidature prevented an election by the people. The vote stood, Diman, 7,477; Jackson, 7,389; Harris and scattering, 155. Diman and the other Whig candidates were elected in grand committee, Diman by a vote of 61 to 39.

The general assembly passed resolutions in opposition to tariff reduction at the January session in 1846, while it approved of the reduction of postage rates. The resolutions regarding the latter, as presented in the house, commended Senator Simmons for his successful efforts in behalf of cheap postage, but the senator was not yet forgiven for favoring the liberation of Dorr, and, as they were finally adopted, he was entirely eliminated from the resolutions. A committee was appointed at this session to inquire and report concerning the old registered state debt. The annual tinkering of the license law took the form this year of an amendment providing for the election, at the option of the individual municipalities, of officials to complain of violations of the law. At the June session resolutions passed the assembly congratulating General Taylor for the victories of Palo Alto and Resaca de la Palma over the Mexicans. The Providence and Fall River and Providence and Plainfield railroads were incorporated in 1846, and their charters authorized them to erect toll-houses and establish toll-gates on their respective roads.

John H. Clarke of Providence was elected on October 29, 1846, to the

<sup>1</sup> Governor Fenner died on April 17, 1846. He was born in 1771.

United States senate, to succeed John Brown Francis. He received 59 votes, while 34 Democratic assemblymen cast their ballots for Thomas W. Dorr.

Olney Ballou of Cumberland and John D. Austin of North Kingstown were the Democratic nominees for Governor and Lieutenant-Governor in 1847. The Whigs put Lieutenant-Governor Harris at the head of their ticket, with Edward W. Lawton of Newport in the second place. Edward Harris was again the candidate of the Liberty party, and a "License" party entered the field with Willard Hazard of South Kingstown, and Israel Crocker of Newport as its candidates. The Whigs had over 1,200 majority, and nearly 2,000 plurality over their Democratic opponents. The License, Liberty and scattering votes for Governor aggregated only 743. The Prohibitionists entered the political field in Providence this spring. They nominated Amos C. Barstow for mayor, in opposition to Mayor Burgess, and Benjamin Cowell, a Democrat, was also nominated. Burgess won easily over both opponents, and the city voted for license by a narrow margin. In the congressional elections Robert B. Cranston, Whig, was elected in the eastern district by 24 majority over Fenner Brown, Democrat, John Boyden, jr., Liberty, and the scattering vote. In the western district Wilkins Updike, Whig, received 2,035 votes; Benjamin B. Thurston, Democrat, 1,928; Lemuel H. Arnold, Whig, 451, and Lauriston Hall, Liberty, 172. There was no choice, but Thurston defeated Updike in August by a plurality of 65 votes.

An act authorizing justices of the peace to join persons in marriage was laid on the table in the house by a vote of 26 to 16 at the January session, 1847. Resolutions, condemning the reduction of tariff rates, the sub-treasury system, and the war with Mexico passed the house by a vote of 29 to 20, and the senate by 17 to 12. The assembly, however, appropriated \$2,500 to assist in the equipment of Captain Pitman's Providence company in Colonel Ramsay's regiment of New England Volunteers. An act was passed at this session giving probate courts jurisdiction over sales of real estate belonging to minors, and the Supreme Court was authorized, at its discretion, to dispense with the three years' residence requirement in divorce cases.

At the May session, in accordance with the recommendation of a committee of investigation, a radical change was made in the law regulating the management of the state prison. By its terms the prison inspectors were shorn of much of their authority, many of the officials and attendants were discharged, and the convict labor system was discontinued. There had been some complaint regarding prison management, and there was considerable agitation against prison labor. It does not appear that the complaints were well-founded, and it was charged that the investigating committee ignored the prison inspectors and did not make a thorough and impartial investigation; that their



report was hurriedly made and hurriedly acted upon by the assembly, and that the protests and statements of the inspectors and prison officials in answer to criticisms were ignored. The facts were pretty thoroughly ventilated in the newspapers in the interval between the May and June sessions, and the former law was practically restored at the latter sitting. An act granting Newport a city charter was submitted to the voters of that town on May 15, this year, and was rejected, the vote standing 339 to 388.

In June a general incorporation law was enacted. One of its salient features was the provision that owners should not be individually liable for more than the amount of their capital in incorporated companies. The first telegraph company organized in the state was incorporated this year. It was authorized to build and operate lines from Providence to connect with outside lines running to Boston, New York, Fall River and Newport.

The annual resolutions of the assembly regarding national affairs in 1848 were rather more elaborate than usual. While it acknowledged the principle of a tariff for revenue rather than protection—an unusual concession by a New England legislature—it believed that the duties should be levied upon articles that came into competition with home productions, and that articles of general consumption, particularly tea and coffee, which could not be produced at home, should be free of duty. Slavery was condemned in the District of Columbia, and President Polk was censured for not managing negotiations with Mexico so as to avoid war.

An act was passed at the January session forbidding the assistance of sheriffs and other state officials in the capture or detention of alleged fugitive slaves. An amendment of the law for the relief of poor debtors provided for their discharge if their creditors neglected to pay for their board. It also provided, after a debtor had been in jail over six months, for his being put to labor for the benefit of his creditor. An ineffectual attempt was made at this session to abolish capital punishment.

The Supreme and Common Pleas courts were reorganized in May. The side judgeships of the latter courts were abolished, and they were thereafter to be presided over by the justices of the Supreme Court. An attempt was made by the assembly to ameliorate the dryness of "no license" towns by an amendment authorizing the town councils in such cases to license one or more "discreet persons" to sell ardent spirits for "medicinal and artistical purposes." In prosecuting cases of violation of the license law exclusive jurisdiction was given to justice courts, without appeal. The constitutionality of this feature of the law was questioned. No attempt was made to enforce it, and it was repealed at a subsequent session. The general assembly at the May session thanked Rhode Island officers of the regular and volunteer

forces who served in the war with Mexico, and it congratulated France for its adoption of a republican form of government. The advocates of a city form of government in Newport procured the passage of another act of incorporation in May, and the people rejected it on October 16, 1848, only 230 voting for it, while its opponents numbered 325.

Harris and Lawton were re-elected in April by about 1,500 majority over Adnah Sackett of Providence and John D. Austin of North Kingstown, the Democratic candidates, and in November, Taylor easily secured the electoral vote of the state, the vote being Taylor, 6,779; Cass, 3,646; Van Buren, 730.

In 1849 the Whigs placed Henry B. Anthony, editor of the Providence Journal, in nomination for Governor, with Judge Thomas Whipple of Coventry for Lieutenant-Governor. Mr. Anthony, who was then thirty-four years of age, had been editor of the Journal since 1838, and had made it one of the most frequently quoted of New England newspapers. The Democrats again nominated Sackett, with Thomas J. Hazard of West Greenwich, an influential member of the assembly, as their candidate for Lieutenant-Governor. Edward Harris and Jacob D. Babcock of Hopkinton were the Free Soil candidates. The campaign was a tame one, as the Democrats made little effort. The only real contest was over the office of secretary of state, which had been held continuously by Henry Bowen since 1819. He was defeated for renomination in the Whig state convention by Christopher E. Robbins, a representative in the general assembly from Newport, and then ran as an independent candidate. There was no choice by the people, but Robbins was chosen by the general assembly. George G. King, Whig, was elected to Congress in the eastern district, by 1,558 majority over Fenner Brown, Democrat, John Boyden, jr., Free Soil, and the scattering votes. There was no choice in the western district. Benjamin B. Thurston, the Democratic candidate, received twenty plurality over Sylvester G. Shearman, Whig, but the Free Soil party had a candidate in the person of Lauriston Hall, and his vote, although only 160, was sufficient to prevent a choice. A second trial took place in August, when Nathan F. Dixon of Westerly, the Whig candidate, Mr. Shearman having withdrawn, was elected by a plurality of 615.

An attempt was made at the January session in 1849 to do away with the October session. An act to that effect passed the senate by a large majority, but was laid on the table in the house. An important measure passed at this session, and made necessary by the completion of the Providence and Worcester railroad, was an act providing for the close of the Blackstone canal and the revocation of its charter. The canal had never been a paying venture, and the railroad would now deprive it of what little business it had been able to secure. Acts were

passed to prevent clandestine marriages; to tax machinery, lumber, tools, the stock in livery stables, and similar personal property in the towns in which such property was located; and to provide for the taking of a new estimate of property in the state. The general assembly expressed a desire for the abolition of ardent spirits and flogging in the navy, for the prohibition of slavery in the territory recently acquired from Mexico, and for the abolition of slave marts in the District of Columbia.

An elaborate school law, prepared mainly under the direction of the commissioners of public schools, and which was designed to revise and consolidate the whole system of public schools, was lost at the January session in 1850 by the disagreement of the two houses regarding the method of raising the necessary school revenue. The senate, by a vote of two to one, required the state to provide the whole amount, while the house, by a vote quite as emphatic, insisted upon retaining the existing system, which obliged the individual municipalities to appropriate a sum equal to one-third of the amount they were to receive from the state in behalf of the public schools. An elaborate militia law, retaining the features of the voluntary system, and containing stringent provisions regarding the collection of commutation money, passed the senate, but was lost in the house. The existing law, however, was amended by the adoption of the Massachusetts system of compensation for militia service. Acts were passed allowing Providence to establish a reform school; providing a more efficient system of registering births, marriages and deaths; and amending the license law by requiring complainants, other than regularly authorized officials, to give surety for the cost of prosecution, when making complaints of violations of the law. The act passed a few years before requiring the payment of fees upon petitions and memorials to the general assembly was repealed.

The State House at Providence, a building which had been in existence nearly a hundred years, and which had always been used for the courts, as well as for legislation, had become ridiculously inadequate to the state's requirements. The necessity for enlarged quarters was now universally recognized. The rapid growth of Providence had made the need of a new city building equally urgent. A committee was appointed at the January session of the general assembly this year to confer with the city officials, with the view of the erection conjointly by the state and city of a suitable building for the use of both governments. The committee made a report at an August session of the assembly, and presented a plan of and estimates for the proposed building. It was proposed to locate the structure upon filled land in the center of the "Cove." According to the plan a circular area four hundred feet in diameter was to be filled in. The structure, to be erected upon a foundation raised five feet above the remainder of the area, was to be

200 by 68 feet in length and breadth. It was to be of Anglo-Italian architecture, with exterior walls of Portland freestone and interior walls of brick, with a wooden dome, covered with copper. The western half of the building was to be the "State House," and the eastern half the "City Hall." The cost of filling the central area, including that of four suitable bridges, connecting with surrounding streets, was estimated at \$34,600, and that of the whole building, including the filling, at \$176,995.<sup>1</sup> An act was introduced in the house providing for the erection of a new State House in conjunction with the city of Providence, but it was postponed until the next session, and was never again brought forward. At the October session a resolution was adopted to build an addition to the old State House at a cost not to exceed \$7,500, and at the following January session, that sum proving inadequate, \$2,300 more was appropriated for the purpose.

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The Democrats, having, with the aid of a few Whigs, a fair working majority in both chambers, succeeded in securing some of the legislation for which they had been contending. A secret ballot law, which George H. Browne of Glocester, the Democratic leader of the house, had brought forward in January, was again introduced by him, and after a long debate, in which he, Fenner Brown of Cumberland, and Thomas Davis of North Providence, the Democratic champions of the bill, encountered Henry Y. Cranston of Newport, and Messrs. Curry and Potter of Providence in opposition, it passed the house by a vote of 38 to 28, and afterwards passed the senate. The act required voters to cast their ballots in sealed envelopes, which were to be furnished to the several municipalities by the secretary of state. Another act which



the Democrats succeeded in getting through was the extension of the time for paying registry taxes up to within three days of an election. The much-needed revision of the school law was effected at the June session, the two houses succeeding in agreeing upon the division of the support for the schools between the state and the individual municipalities, the state contributing the larger amount. A resolution was passed at the June session for the investigation of child labor in manufacturing establishments by a special committee. President Fillmore visited Newport in September, 1851, and was received with appropriate honors. He was entertained at the Bellevue House. The cotton manufacturers of the state were complaining of hard times early in the year. In January, according to the Providence Journal, over one-third of the cotton spindles in Rhode Island were idle.

In January, 1852, after a long discussion, a bill originated by Thomas R. Hazard of South Kingstown, for the abolition of capital punishment, and forbidding the pardon of long term convicts, except by vote of three-fourths of all the members of both houses and the approval of the Governor, passed the senate by a vote of 17 to 13, and the house by 41 to 20. A resolution, inviting Louis Kossuth, the Hungarian patriot, to visit the state was adopted by both houses.

The cause of temperance had been making steady progress for some time. Other states were adopting prohibitory legislation, and that of Rhode Island had been steadily leading up to it for some years. At the January session a prohibitory act was lost in the house by a vote of 31 to 37. It passed both houses in May, however, with the proviso that the question of its repeal should be submitted to the people at the next state election. A majority of the Whig members of the assembly favored the measure, and a majority of the Democrats opposed it, while most of the Whigs opposed referring the question to the people, and most of the Democratic members favored such reference. The law, which was to go into effect on the third Monday in July, provided for the appointment of one or two persons in each municipality to sell spirituous liquors for medicinal and mechanical purposes only.

The gubernatorial campaign of 1852 was a lively one. Both parties had registered heavily. The Democrats renominated the successful ticket of 1851, and the Whigs put ex-Governor Elisha Harris and Samuel G. Arnold of Providence at the head of their ticket. Early in the campaign Lieutenant-Governor Lawrence, in the course of a campaign speech, strongly opposed the proposed prohibitory law. In consequence of this speech a split ticket containing the name of Schuyler Fisher of Exeter for Lieutenant-Governor was circulated on election day, and received 813 votes, or sufficient to prevent any choice for Lieutenant-Governor by the people. Allen and the other Democratic candidates, aside from the Lieutenant-Governor, were elected,

memorials to the general assembly. The license fees for hawkers and peddlers were also raised to from \$75 to \$200, the maximum rate being charged to sellers of gold jewelry. At the May session the license law was amended so as to allow municipalities to vote upon the question of licensing the sale of intoxicating liquors at their annual elections. In June, 1845, acts were passed, electing a commissioner of public schools; providing that in the event of the neglect of a school district to provide schools, the school committee might do so on its own responsibility; and providing for the employment of prisoners in jails.

As Dorr was fast becoming a national martyr in the popular mind, the Law and Order legislators at last gave way, and a resolution passed both houses on June 27, releasing him and other treason-convicts unconditionally and forbidding further prosecutions under the treason act of 1842. News of the passage of the amnesty act reached Providence at half past three on the afternoon of the 27th, and Walter S. Burges immediately drove in a carriage to the prison and took Dorr to his father's house. As he left the prison cannon boomed from Smith and Federal hills, bells were rung, and a procession of carriages and pedestrians followed the hack which contained the "people's martyr." In the evening Dorr was taken in a carriage to the residence of a friend in the Cranston suburbs. Market Square was packed with his sympathizers as he drove through, and a vast crowd surrounded the house of his entertainer and listened to congratulatory speeches. The stories of the brutal treatment of Dorr in prison were doubtless greatly exaggerated, and many of them were pure fabrications, but the jails and prisons of half a century ago were not healthful residences. Mr. Dorr left prison broken in health and he never recovered his former vitality.

On January 15, 1845, Albert C. Greene was elected United States senator to succeed John Brown Francis. He received 52 votes in grand committee, while Lemuel Arnold and Olney Ballou—the latter the Democratic candidate, were given, respectively, 25 and 18 votes.

The Democrats received many accessions from the Whig ranks in the gubernatorial campaign of this year, chiefly from those who favored the release of Dorr. Charles Jackson, one of these Liberation Whigs, was nominated for Governor by the Democrats, and was elected by a majority of 149. Byron Dimon, however, the Whig, or Law and Order candidate for Lieutenant-Governor, was elected over Robert Hazard, the Liberation candidate, and all of the other candidates on the "Rhode Island Prox" defeated their coalition opponents. In this campaign ex-Senator Lemuel H. Arnold and Senator James F. Simmons espoused the cause of liberation, and the former was nominated by the coalitionists for Congress in the western district against Elisha R. Potter, and was elected by a small majority. In the eastern district Henry Y. Cranston was re-elected without opposition.

## CHAPTER XXI.

### FROM THE DORR WAR TO THE CIVIL WAR.

The liberation of Dorr weakened the coalition against the Whigs, as they regained by that act many Whig votes that had been cast against them in April, 1845. The Democrats, however, renominated Charles Jackson in 1846. Jesse L. Moss of Westerly was their candidate for Lieutenant-Governor. Ex-Governor Fenner was in feeble health,<sup>1</sup> and being no longer available as a candidate, Lieutenant-Governor Diman was nominated for Governor by the Whigs, while Elisha Harris of Coventry was named by them for Lieutenant-Governor. The Liberty (Abolition) party nominated Edward Harris of Woonsocket and Stephen Wilcox of Hopkinton, for Governor and Lieutenant-Governor, respectively, and although they received very few votes, their candidature prevented an election by the people. The vote stood, Diman, 7,477; Jackson, 7,389; Harris and scattering, 155. Diman and the other Whig candidates were elected in grand committee, Diman by a vote of 61 to 39.

The general assembly passed resolutions in opposition to tariff reduction at the January session in 1846, while it approved of the reduction of postage rates. The resolutions regarding the latter, as presented in the house, commended Senator Simmons for his successful efforts in behalf of cheap postage, but the senator was not yet forgiven for favoring the liberation of Dorr, and, as they were finally adopted, he was entirely eliminated from the resolutions. A committee was appointed at this session to inquire and report concerning the old registered state debt. The annual tinkering of the license law took the form this year of an amendment providing for the election, at the option of the individual municipalities, of officials to complain of violations of the law. At the June session resolutions passed the assembly congratulating General Taylor for the victories of Palo Alto and Resaca de la Palma over the Mexicans. The Providence and Fall River and Providence and Plainfield railroads were incorporated in 1846, and their charters authorized them to erect toll-houses and establish toll-gates on their respective roads.

John H. Clarke of Providence was elected on October 29, 1846, to the

<sup>1</sup> Governor Fenner died on April 17, 1846. He was born in 1771.

United States senate, to succeed John Brown Francis. He received 59 votes, while 34 Democratic assemblymen cast their ballots for Thomas W. Dorr.

Olney Ballou of Cumberland and John D. Austin of North Kingstown were the Democratic nominees for Governor and Lieutenant-Governor in 1847. The Whigs put Lieutenant-Governor Harris at the head of their ticket, with Edward W. Lawton of Newport in the second place. Edward Harris was again the candidate of the Liberty party, and a "License" party entered the field with Willard Hazard of South Kingstown, and Israel Crocker of Newport as its candidates. The Whigs had over 1,200 majority, and nearly 2,000 plurality over their Democratic opponents. The License, Liberty and scattering votes for Governor aggregated only 743. The Prohibitionists entered the political field in Providence this spring. They nominated Amos C. Barstow for mayor, in opposition to Mayor Burgess, and Benjamin Cowell, a Democrat, was also nominated. Burgess won easily over both opponents, and the city voted for license by a narrow margin. In the congressional elections Robert B. Cranston, Whig, was elected in the eastern district by 24 majority over Fenner Brown, Democrat, John Boyden, jr., Liberty, and the scattering vote. In the western district Wilkins Updike, Whig, received 2,035 votes; Benjamin B. Thurston, Democrat, 1,928; Lemuel H. Arnold, Whig, 451, and Lauriston Hall, Liberty, 172. There was no choice, but Thurston defeated Updike in August by a plurality of 65 votes.

An act authorizing justices of the peace to join persons in marriage was laid on the table in the house by a vote of 26 to 16 at the January session, 1847. Resolutions, condemning the reduction of tariff rates, the sub-treasury system, and the war with Mexico passed the house by a vote of 29 to 20, and the senate by 17 to 12. The assembly, however, appropriated \$2,500 to assist in the equipment of Captain Pitman's Providence company in Colonel Ramsay's regiment of New England Volunteers. An act was passed at this session giving probate courts jurisdiction over sales of real estate belonging to minors, and the Supreme Court was authorized, at its discretion, to dispense with the three years' residence requirement in divorce cases.

At the May session, in accordance with the recommendation of a committee of investigation, a radical change was made in the law regulating the management of the state prison. By its terms the prison inspectors were shorn of much of their authority, many of the officials and attendants were discharged, and the convict labor system was discontinued. There had been some complaint regarding prison management, and there was considerable agitation against prison labor. It does not appear that the complaints were well-founded, and it was charged that the investigating committee ignored the prison inspectors and did not make a thorough and impartial investigation; that their

report was hurriedly made and hurriedly acted upon by the assembly, and that the protests and statements of the inspectors and prison officials in answer to criticisms were ignored. The facts were pretty thoroughly ventilated in the newspapers in the interval between the May and June sessions, and the former law was practically restored at the latter sitting. An act granting Newport a city charter was submitted to the voters of that town on May 15, this year, and was rejected, the vote standing 339 to 388.

In June a general incorporation law was enacted. One of its salient features was the provision that owners should not be individually liable for more than the amount of their capital in incorporated companies. The first telegraph company organized in the state was incorporated this year. It was authorized to build and operate lines from Providence to connect with outside lines running to Boston, New York, Fall River and Newport.

The annual resolutions of the assembly regarding national affairs in 1848 were rather more elaborate than usual. While it acknowledged the principle of a tariff for revenue rather than protection—an unusual concession by a New England legislature—it believed that the duties should be levied upon articles that came into competition with home productions, and that articles of general consumption, particularly tea and coffee, which could not be produced at home, should be free of duty. Slavery was condemned in the District of Columbia, and President Polk was censured for not managing negotiations with Mexico so as to avoid war.

An act was passed at the January session forbidding the assistance of sheriffs and other state officials in the capture or detention of alleged fugitive slaves. An amendment of the law for the relief of poor debtors provided for their discharge if their creditors neglected to pay for their board. It also provided, after a debtor had been in jail over six months, for his being put to labor for the benefit of his creditor. An ineffectual attempt was made at this session to abolish capital punishment.

The Supreme and Common Pleas courts were reorganized in May. The side judgeships of the latter courts were abolished, and they were thereafter to be presided over by the justices of the Supreme Court. An attempt was made by the assembly to ameliorate the dryness of "no license" towns by an amendment authorizing the town councils in such cases to license one or more "discreet persons" to sell ardent spirits for "medicinal and artistical purposes." In prosecuting cases of violation of the license law exclusive jurisdiction was given to justice courts, without appeal. The constitutionality of this feature of the law was questioned. No attempt was made to enforce it, and it was repealed at a subsequent session. The general assembly at the May session thanked Rhode Island officers of the regular and volunteer



forces who served in the war with Mexico, and it congratulated France for its adoption of a republican form of government. The advocates of a city form of government in Newport procured the passage of another act of incorporation in May, and the people rejected it on October 16, 1848, only 230 voting for it, while its opponents numbered 325.

Harris and Lawton were re-elected in April by about 1,500 majority over Adnah Sackett of Providence and John D. Austin of North Kingstown, the Democratic candidates, and in November, Taylor easily secured the electoral vote of the state, the vote being Taylor, 6,779; Cass, 3,646; Van Buren, 730.

In 1849 the Whigs placed Henry B. Anthony, editor of the Providence Journal, in nomination for Governor, with Judge Thomas Whipple of Coventry for Lieutenant-Governor. Mr. Anthony, who was then thirty-four years of age, had been editor of the Journal since 1838, and had made it one of the most frequently quoted of New England newspapers. The Democrats again nominated Sackett, with Thomas J. Hazard of West Greenwich, an influential member of the assembly, as their candidate for Lieutenant-Governor. Edward Harris and Jacob D. Babcock of Hopkinton were the Free Soil candidates. The campaign was a tame one, as the Democrats made little effort. The only real contest was over the office of secretary of state, which had been held continuously by Henry Bowen since 1819. He was defeated for renomination in the Whig state convention by Christopher E. Robbins, a representative in the general assembly from Newport, and then ran as an independent candidate. There was no choice by the people, but Robbins was chosen by the general assembly. George G. King, Whig, was elected to Congress in the eastern district, by 1,558 majority over Fenner Brown, Democrat, John Boyden, jr., Free Soil, and the scattering votes. There was no choice in the western district. Benjamin B. Thurston, the Democratic candidate, received twenty plurality over Sylvester G. Shearman, Whig, but the Free Soil party had a candidate in the person of Lauriston Hall, and his vote, although only 160, was sufficient to prevent a choice. A second trial took place in August, when Nathan F. Dixon of Westerly, the Whig candidate, Mr. Shearman having withdrawn, was elected by a plurality of 615.

An attempt was made at the January session in 1849 to do away with the October session. An act to that effect passed the senate by a large majority, but was laid on the table in the house. An important measure passed at this session, and made necessary by the completion of the Providence and Worcester railroad, was an act providing for the close of the Blackstone canal and the revocation of its charter. The canal had never been a paying venture, and the railroad would now deprive it of what little business it had been able to secure. Acts were



passed to prevent clandestine marriages; to tax machinery, lumber, tools, the stock in livery stables, and similar personal property in the towns in which such property was located; and to provide for the taking of a new estimate of property in the state. The general assembly expressed a desire for the abolition of ardent spirits and flogging in the navy, for the prohibition of slavery in the territory recently acquired from Mexico, and for the abolition of slave marts in the District of Columbia.

An elaborate school law, prepared mainly under the direction of the commissioners of public schools, and which was designed to revise and consolidate the whole system of public schools, was lost at the January session in 1850 by the disagreement of the two houses regarding the method of raising the necessary school revenue. The senate, by a vote of two to one, required the state to provide the whole amount, while the house, by a vote quite as emphatic, insisted upon retaining the existing system, which obliged the individual municipalities to appropriate a sum equal to one-third of the amount they were to receive from the state in behalf of the public schools. An elaborate militia law, retaining the features of the voluntary system, and containing stringent provisions regarding the collection of commutation money, passed the senate, but was lost in the house. The existing law, however, was amended by the adoption of the Massachusetts system of compensation for militia service. Acts were passed allowing Providence to establish a reform school; providing a more efficient system of registering births, marriages and deaths; and amending the license law by requiring complainants, other than regularly authorized officials, to give surety for the cost of prosecution, when making complaints of violations of the law. The act passed a few years before requiring the payment of fees upon petitions and memorials to the general assembly was repealed.

The State House at Providence, a building which had been in existence nearly a hundred years, and which had always been used for the courts, as well as for legislation, had become ridiculously inadequate to the state's requirements. The necessity for enlarged quarters was now universally recognized. The rapid growth of Providence had made the need of a new city building equally urgent. A committee was appointed at the January session of the general assembly this year to confer with the city officials, with the view of the erection conjointly by the state and city of a suitable building for the use of both governments. The committee made a report at an August session of the assembly, and presented a plan of and estimates for the proposed building. It was proposed to locate the structure upon filled land in the center of the "Cove." According to the plan a circular area four hundred feet in diameter was to be filled in. The structure, to be erected upon a foundation raised five feet above the remainder of the area, was to be

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Rowse Babcock of Westerly for Lieutenant-Governor. Edward Harris was again supported by the Free Soilers, but received only 183 votes. Allen was elected by 628 majority and the whole Democratic ticket triumphed. That party also carried the senate by two majority, while the Whigs had a bare majority in the house. The Democrats had a majority of the grand committee, and were able to make such changes as they pleased among the state officials. The Whigs claimed that the triumph of the Democrats was obtained by wholesale bribery, and they declared that votes sold in some towns as high as \$80. At the time of the election of James to the United States senate, in the January previous, adherents of both parties made charges of bribery against their opponents, and during one session of the grand committee, Henry Y. Cranston, one of the Whig leaders of the house, in a moment of excitement charged Thomas Whipple, the Whig Lieutenant-Governor, with attempted bribery, although he afterward endeavored to explain away his words.

Among the important legislation effected at the session of January, 1851, were acts for the more effectual suppression of gaming; and an act prohibiting the infliction of corporal punishment and confinement in dark rooms and dungeons, in asylums and in houses for the poor. A new apportionment of representatives to conform to the changes in population, as shown by the census of 1850, was made. North Providence, Cumberland, Tiverton and Burrillville each gained a member, while Scituate lost one. The chamber, which had previously been limited to 69 members, now consisted of 72, the full constitutional number to which it was entitled. A lively debate took place over the fugitive slave law, and a resolution, directing the attorney-general to appear for any slave arrested under that law in the state, was rejected in the house by a decided vote. In May, Thomas W. Dorr and others, imprisoned under the treason act of 1842, were restored to citizenship privileges by votes of 18 to 11 in the senate and 39 to 32 in the house. Three Whigs in the senate and four in the house voted for the resolution.

The Democrats, having, with the aid of a few Whigs, a fair working majority in both chambers, succeeded in securing some of the legislation for which they had been contending. A secret ballot law, which George H. Browne of Glocester, the Democratic leader of the house, had brought forward in January, was again introduced by him, and after a long debate, in which he, Fenner Brown of Cumberland, and Thomas Davis of North Providence, the Democratic champions of the bill, encountered Henry Y. Cranston of Newport, and Messrs. Curry and Potter of Providence in opposition, it passed the house by a vote of 38 to 28, and afterwards passed the senate. The act required voters to cast their ballots in sealed envelopes, which were to be furnished to the several municipalities by the secretary of state. Another act which

the Democrats succeeded in getting through was the extension of the time for paying registry taxes up to within three days of an election. The much-needed revision of the school law was effected at the June session, the two houses succeeding in agreeing upon the division of the support for the schools between the state and the individual municipalities, the state contributing the larger amount. A resolution was passed at the June session for the investigation of child labor in manufacturing establishments by a special committee. President Fillmore visited Newport in September, 1851, and was received with appropriate honors. He was entertained at the Bellevue House. The cotton manufacturers of the state were complaining of hard times early in the year. In January, according to the Providence Journal, over one-third of the cotton spindles in Rhode Island were idle.

In January, 1852, after a long discussion, a bill originated by Thomas R. Hazard of South Kingstown, for the abolition of capital punishment, and forbidding the pardon of long term convicts, except by vote of three-fourths of all the members of both houses and the approval of the Governor, passed the senate by a vote of 17 to 13, and the house by 41 to 20. A resolution, inviting Louis Kossuth, the Hungarian patriot, to visit the state was adopted by both houses.

The cause of temperance had been making steady progress for some time. Other states were adopting prohibitory legislation, and that of Rhode Island had been steadily leading up to it for some years. At the January session a prohibitory act was lost in the house by a vote of 31 to 37. It passed both houses in May, however, with the proviso that the question of its repeal should be submitted to the people at the next state election. A majority of the Whig members of the assembly favored the measure, and a majority of the Democrats opposed it, while most of the Whigs opposed referring the question to the people, and most of the Democratic members favored such reference. The law, which was to go into effect on the third Monday in July, provided for the appointment of one or two persons in each municipality to sell spirituous liquors for medicinal and mechanical purposes only.

The gubernatorial campaign of 1852 was a lively one. Both parties had registered heavily. The Democrats renominated the successful ticket of 1851, and the Whigs put ex-Governor Elisha Harris and Samuel G. Arnold of Providence at the head of their ticket. Early in the campaign Lieutenant-Governor Lawrence, in the course of a campaign speech, strongly opposed the proposed prohibitory law. In consequence of this speech a split ticket containing the name of Schuyler Fisher of Exeter for Lieutenant-Governor was circulated on election day, and received 813 votes, or sufficient to prevent any choice for Lieutenant-Governor by the people. Allen and the other Democratic candidates, aside from the Lieutenant-Governor, were elected,



but by reduced majorities. The Whigs had a majority of both houses, and Arnold was elected Lieutenant-Governor by a vote of 57 to 40 for Lawrence. The two parties were almost evenly divided in Providence, and the Democrats succeeded in electing one of the city's twelve representatives—Americus V. Potter—the first Democrat ever elected from that town in a straight contest between the two parties.

This election was the first one under the envelope law, and the Democrats, claiming that the provisions of the act had been grievously violated in the city of Providence, where the election officials were nearly or quite all Whigs, presented a lengthy memorial, contesting the seats of the Whig senator and representatives from the city. A committee of investigation was appointed, but the sitting members were not disturbed. The Democrats carried the state for Pierce in November, the vote being, Pierce, 8,735; Scott, 7,626; Hale, Free Soil, 644. The vote of Providence was Pierce, 2,172; Scott, 2,267; Hale, 229.

An act was passed at the January session in 1853 limiting the hours of labor in manufacturing establishments to ten hours unless otherwise agreed upon; forbidding the employment of children under twelve years of age in such establishments, and limiting the hours of labor for children under eighteen years of age. Senator Clarke's term in the United States senate was to expire on March 4, 1853, and on February 1, the house invited the senate to meet it in grand committee for the purpose of electing his successor. The Democrats were then in temporary control of the senate, and it refused the invitation. This prevented the election of a Whig to the senate, as Governor Allen was elected senator at the May session following.

The Whig candidates for Governor and Lieutenant-Governor in 1853 were William W. Hoppin of Providence and Samuel Rodman of South Kingstown. The Democrats renominated the old ticket, with the exception of Lieutenant-Governor Lawrence, who declined, and for whom Francis M. Dimond of Bristol was substituted. The Free Soil candidates were Edward Harris and Stephen Wilcox of Westerly. The Democratic candidates were elected by an average of over 1,500 majority, and that party secured a majority of both houses of the general assembly, all of the Providence assemblymen being Democrats. The popular vote on the question of repealing the prohibitory liquor law was, for repeal, 8,228, against repeal, 9,280. Providence voted against repeal by 377 majority. Thomas Davis and Benjamin B. Thurston, the Democratic candidates, were elected to Congress in the eastern and western districts, respectively, the latter practically without opposition. Davis's majority over Congressman King and John H. Willard, Free Soil, was only 175 in a total vote of 10,873.

The Democrats had now carried the state at three successive elections, and had finally obtained unquestioned control of both houses. They believed that the time had arrived for the adoption of measures



for which they had been long contending. At the May session acts were passed giving registry voters in Providence the privilege of voting for mayor. At the mayoralty election of that month, Walter R. Danforth, the Democratic candidate, was elected mayor. This was the first time the old Federal-Whig city had been lost to the opposition. On May 5 a resolution advocated by Senators Charles S. Bradley of North Providence and Nathan Porter of Cranston, requesting the freemen of the several municipalities on June 28 to vote for or against a constitutional convention, and at the same time to elect delegates to such convention, passed both houses without opposition. The proposition was defeated by the people, 4,570 voting for and 6,282 against a convention. At a special session of the assembly in September a resolution, introduced by Thomas Steere of Smithfield, calling together the delegates elected in June to consider three propositions—the abolition of the registry tax, the districting of cities and large towns for the election of members of the house of representatives, and the extension of time for the registration of voters—passed both houses by nearly strict party votes. It was submitted to the people November 21, 1853, and was rejected by more than two to one. At each of the two trials all of the Whig towns voted nay, while the Democratic towns were about evenly divided.

Newport voted in May, for the third time since 1847, on the proposition of adopting a city form of government, and accepted the charter by a vote of 460 to 328. At the September term of the assembly the house voted—43 to 22—to declare the seats of the Supreme Court justices vacant. In the senate a Democratic secret caucus revealed so much opposition to the measure, that it was concluded not to bring it to vote.

At the January session in 1854, nine proposed amendments to the constitution were adopted by both houses, and one—abolishing imprisonment for debt, was rejected. The new assembly—which had Whig majorities in both houses—at the May session adopted five of the propositions and rejected four. The proposed amendments were submitted to popular vote on November 7, 1854, and three of them were adopted, as follows: (1) Relieving town and ward clerks from the necessity of forwarding to the general assembly lists of persons voting at elections, adopted by a vote of 3,216 to 2,115; (2) granting the Governor the pardoning power, with the advice and consent of the senate, adopted, 3,928 to 1,405; (3) providing for one session of the general assembly in May at Newport, with an adjourned session at Providence in January, adopted, 3,701 to 1,729. A proposition to abolish the registry tax, and one allowing registration to within twelve days of elections were defeated, as they failed to receive three-fifths of the votes polled, although both received majorities.

The third amendment adopted at this time abolished the five-capital

system, which had been so long in vogue. The immediate effect of the change was the lengthening of the May session at Newport, but after a year or two the previous custom of adjourning at the end of election week was resumed. The January session had been for a long time the chief one of the year. The amendment made it more so than ever. The multiplication of railroads had made it easy for assemblymen to go to Providence and return to their homes the same day after attending the sessions of the legislature, and they had come to realize the folly of traveling around to each county at a needless expense to the state, and at considerable discomfort to themselves.

The Democratic majority in January, 1854, passed an act dividing the sixth ward of Providence and providing for the election of aldermen in that city by wards, instead of on a general ticket, and also a resolution repealing, reversing and annulling the judgment of the Supreme Court whereby Thomas Wilson Dorr of Providence, on the 25th day of June, 1844, was sentenced to imprisonment for life at hard labor in separate confinement. This resolution passed the house by a vote of 44 to 17.

Although the Democratic victory the preceding year had been a crushing one to the old Whig party, the course of events had greatly weakened the victors. They had lost strength by favoring a constitutional convention, and the enfranchisement of naturalized citizens who did not own real estate; and the passage of the Kansas-Nebraska bill—a Democratic measure—by Congress, added to their unpopularity. The Democratic state convention made choice of Francis M. Dimond of Bristol and Americus V. Potter for its leading candidates. The Whigs renominated Hoppin for Governor, and chose John J. Reynolds of North Kingstown as their candidate for Lieutenant-Governor. The Temperance party endorsed Hoppin's nomination, but made independent nominations for the other places on the ticket, including that of Schuyler Fisher of Exeter as its candidate for Lieutenant-Governor. Mr. Hoppin was elected Governor by a vote of 9,216 to 6,523 for Dimond, but there was no choice for the other offices, the Whig vote ranging from 6,445 to 6,882, that of the Democrats from 6,425 to 6,596, and the Temperance total from 2,574 to 2,871. Both houses contained Whig majorities, and the Whig candidates were elected to the vacant offices.

Having obtained power once more the Whigs, at the May session of 1854, proceeded to undo some of the legislation enacted by the Democrats. The secret ballot law was amended so as to make the use of the envelopes optional with the voters; the registry men of Providence were deprived of the right to vote for mayor; and the Supreme Court was requested to pass upon the constitutionality of the vote in January annulling the action of the Supreme Court in the case of T. W. Dorr. The decision of the court, received at the June session, was to the effect

that the annulling resolutions were unconstitutional. A resolution was passed at this session forbidding state officials from aiding in the capture of fugitive slaves.

Thomas Wilson Dorr died on December 27, 1854. The Democratic masses looked upon him as a martyr, but many of his strongest opponents in 1842, by the fortune of politics, had become Democratic leaders ten or a dozen years later, and never allowed him to assume the leadership of the party after his restoration to citizenship privileges. He was still prominent in the counsels of the party, however, and was Lieutenant-Governor Dimond's chief competitor, as the party leader, at the Democratic state convention early in the year.

A score of years previous to this time Rhode Island had been extensively infected with the Anti-Masonic craze, which had proved to be a most disturbing element in politics. Now, as the Whig organization was going out of existence and the Republican party was forming, the Know Nothing movement came to the front, and for a brief time took political control of the state. The anti-foreign craze had been helped by the course of the Providence Journal and other Whig papers, which, in order to defeat Democratic schemes for a constitutional convention, had given great prominence to the dangers likely to result from the extensive enfranchisement of naturalized citizens. The Know Nothings worked secretly, but there were signs of their presence in the state in the fall of 1854.<sup>1</sup> At an election in Cumberland, a Democratic town, early in November, to fill a vacancy caused by the death of one of the representatives in the general assembly, Rev. John Boyden, the Know Nothing candidate, defeated Fenner Brown, one of the ablest and most popular Democrats in Rhode Island.

The Whigs, in March, 1855, renominated Governor Hoppin and the rest of their successful ticket of the previous year, and Hoppin was endorsed by the Temperance party and the Know Nothings. The latter party, however, nominated Anderson C. Rose of New Shoreham for Lieutenant-Governor, and made independent nominations for the other three state offices whose incumbents were chosen by popular vote.<sup>2</sup> The Democrats chose as their standard bearers Americus V. Potter of Providence and William Littlefield of Newport. The Know Nothings united with the Whigs in nominating Nathaniel B. Durfee for Congress in the eastern district, and endorsed the candidacy of Benjamin B. Thurston, who was renominated by the Democrats in the western district. The latter was elected almost without opposition.

<sup>1</sup>The sudden rise of the Know-Nothing party to power has been traced by Charles Stickney in an excellent monograph on *Know-Nothingism in Rhode Island* (*R. I. Hist. Soc. Publ.*, i, 248, and also in *Brown Univ. Hist. Sem. Papers*, no. 8).

<sup>2</sup>Secretary of state, attorney-general and general treasurer.

In the eastern district Durfee received 6,283 votes to 1,987 for Thomas Davis, the Democratic candidate. Hoppin's vote for Governor was 11,130, and Potter's only 2,729. The Know Nothing candidates for the other offices were all elected by more than two-thirds of the popular vote over both competitors. The relative strength of the three parties on the vote for Lieutenant-Governor was as follows: Know Nothing, 9,733; Democratic, 2,705; Whig, 1,309. The new party elected nearly all of the members of both houses of the general assembly.

Laws were passed in 1855 to prevent the issuance of free passes by railroads and regulating the management of the roads in their public relations; regulating the business of foreign insurance companies operating in Rhode Island; for the more effectual suppression of gambling houses and games of chance; providing for the taking a new valuation of the ratable property of the state; providing for the better and more effective assessment and collection of taxes; authorizing the city of Providence to establish a sinking fund; and raising the salary of the Governor and Lieutenant-Governor to \$1,000 and \$500 respectively.

In the house, March 1, 1855, Mr. Borden, Whig, of Tiverton, proposed two amendments to the constitution, the first to allow the general assembly to regulate the compensation of its members, and the second to abolish the registry tax and substitute a poll tax. Both propositions failed to secure the necessary constitutional majority, the vote upon them being 33 to 16 for the first and 33 to 15 for the second proposition.

At the January session in 1856 four proposed articles of amendment to the constitution, proposed by Senators William A. Pirce of Johnston and Denison of Westerly, both American-Republicans, were adopted by both houses, and a fifth—instituting an educational qualification for voters—was rejected. The proposed amendments were: (1) Abolishing the registry tax; (2) assessing a poll tax; (3) requiring a residence of twenty-one years in this country of naturalized voters; (4) fixing the compensation of assemblymen at \$2 a day. The next assembly, in the June following, accepted all of the propositions but the third. The remaining three propositions were submitted to the people on the day of the presidential election, and were all defeated, none of them receiving even a majority.

The important legislation of 1856 consisted of an act creating a state auditor; an act concerning truant children; a new militia law, providing for the holding of an annual muster; an amendment to the prohibitory liquor law, allowing the appointment in each municipality of persons to sell intoxicating liquors for chemical, sacramental and culinary uses, as well as for medicinal and mechanical purposes; an amendment to the marriage laws, dispensing with the former requirement for the publication of the banns in religious meetings; and an

act dividing the town of Tiverton and incorporating the northern portion as the town of Fall River.<sup>1</sup>

The general assembly expressed its opinion of national matters this year by appropriate resolutions regarding "Bleeding Kansas," and Brooks's dastardly assault upon Sumner. At a public meeting, called in Providence, to voice popular indignation against the latter act, Charles S. Bradley and other leading Democrats made speeches expressing their condemnation of club arguments, but they were not able to prevent many of the rank and file of their party from going over to the new anti-slavery party.<sup>2</sup>

The Know Nothings, now known as the American party, renominated Governor Hoppin, with Nicholas Brown of Warwick for Lieutenant-Governor. The Democratic candidates were Americus V. Potter and Duncan C. Pell of Newport. The Whigs were no longer in existence, but some of the remnant of that party together with certain Free Soilers and anti-slavery Democrats, who were opposed to the Know Nothings, formed a straight Republican organization and nominated Sylvester Robinson of South Kingstown for Lieutenant-Governor. Hoppin, who was endorsed by the Republicans, received 9,865 votes to 7,131 for Potter. The totals of the three parties, as shown by the vote for Lieutenant-Governor, were: American, 7,882; Democratic, 7,227; Republican, 1,306.

In the presidential campaign of 1856 most of the Americans joined the straight Republicans in supporting Fremont, although several influential members of the party—among whom may be mentioned Henry Y. Cranston, Charles C. Van Zandt, and ex-Governor William Sprague—favored Fillmore. The vote of the state was: Fremont, 11,467; Buchanan, 6,680; Fillmore, 1,675.

The "American Republicans" and the Republicans united on a state ticket, except for Lieutenant-Governor, in 1857. They renominated Governor Hoppin, and upon his declining named Elisha Dyer for first place. The Republicans nominated Thomas G. Turner of Warren for Lieutenant-Governor, while the American Republicans selected Stephen G. Mason of Smithfield for the position. Americus V. Potter and Isaac Hall of North Kingstown were the Democratic candidates. Dyer and the coalition ticket were elected by large majorities, Dyer's vote being 9,591, and Potter's, 5,323. There was no choice for Lieutenant-Governor. The Republican vote was 5,781, the Democratic, 5,126, and the American Republican, 3,816. Turner was elected by the general assembly. The Americans and Republicans united upon congressional candidates, Nathaniel B. Durfee being nom-

<sup>1</sup>This year was the first in which a regular appropriation bill to cover the estimated expenses of the state government was passed.

<sup>2</sup>The proceedings of this meeting were printed, under the title of *The Outrage in the Senate*.



inated for re-election in the eastern district, while William D. Brayton of Warwick was their candidate in the other district. The Democratic candidates in the two districts were respectively Ambrose E. Burnside of Bristol and ex-Governor Jackson, then a resident of Scituate. Durfee was elected by a majority of 3,467, and Brayton by 632. On January 9, 1857, James F. Simmons was elected to the United States senate to succeed Senator James. He received 63 votes in grand committee. The Democrats supported ex-Governor Jackson, who received 21 votes.

The somewhat discordant elements in the composition of the American Republican coalition were brought to view in the mayoralty election in Providence in 1857. Stephen T. Olney was the nominee of the caucus, after several ballots, in which young Thomas A. Doyle was his leading competitor. There were some charges of unfairness, and, according to the Democratic organ, the *Post*, which delighted to expose the troubles of its opponents, the question of locality was a factor in the case, the westsiders believing that the eastsiders were monopolizing too many of the offices. Mr. Doyle, who lived on the west side, ran as an independent and prevented an election. A choice was not effected until the fifth trial, when William M. Rodman, the American Republican candidate, had a clear field against John N. Francis, the Democratic nominee. The fact that the Democratic vote increased in the course of this factional contest from 556 to 1,771 showed that there was a large element professing the principles of the Democratic party in the city, notwithstanding the smallness of the party vote in recent years.

A large portion of the legislative sessions in 1857 were consumed in the revision of the laws. In considering the criminal code the house voted to make murder punishable by death in all cases, but the change was rejected by the senate, the vote standing 12 to 14. Real estate was made liable for debts; grog shops and houses of ill-repute were to be proceeded against as common nuisances, unless abated within five days after complaint should be made against them; and the provision in the statute law, making drunkenness punishable as an offense, was stricken out. A motion by Mr. Knowles of Providence in the house to give widows with children one-half of their husbands' personal estate, and all of it where they were childless, was rejected. An act chartering the Woonasquatucket Railroad company, incorporated this year, contained the same phraseology regarding toll houses, toll gates, and the like, which was in evidence in the first railroad charter in 1832, and which was inherited from the old turnpike and plank-road charters.

The panic of 1857 was for a short time very seriously felt in Rhode Island. Towards the close of the year the Providence Journal pub-



lished long lists of the factories in and near Providence which were closed or were running on short time. Its statements showed that, about Christmas time, at least three-fourths of the machinery of the cotton factories was idle.

Representative George L. Clarke of Providence introduced a bill at the January session in 1858, to restrict the amount of bank issues and require banks to make weekly reports. As finally adopted the act required banks to make detailed reports of their condition semi-annually, and to report their general condition to the secretary of state for publication in Providence newspapers fortnightly. Banks were forbidden, under severe penalties, to charge directly or indirectly more than six per cent. annual interest. An act was passed providing that no railroad should be allowed to lay rails through any Providence streets until consent thereto had been given by vote of the property electors of the city. Acts were passed for the better enforcement of sanitary measures and for the prevention of the spreading of infectious and contagious diseases in the cities of Providence and Newport. A committee was appointed to make inquiry and report on the feasibility of erecting a new State House at Providence. The Republican legislature of 1854 had hurriedly repealed the act passed by the Democrats the year before, authorizing the election of aldermen in the city of Providence by wards, instead of on a general ticket. The act then repealed was re-enacted by the Republicans this year, with the added provision that both aldermen and councilmen should be elected by a plurality vote. The Providence city charter was also amended—in accordance with the result of a popular vote of the city, asking for such action—so as to provide for the election of the city clerk, city treasurer, assessors of taxes, city solicitor, collector of taxes, city marshal, harbor master, overseer of the poor and superintendent of health by popular vote. A resolution presented by Representative Ellis L. Blake of Cumberland to abolish separate schools in Providence for colored children, failed of passage. The proposition had been brought forward at nearly every regular session for several years, but public opinion did not yet demand the change.

The American Republicans and straight Republicans held separate conventions in 1858, but finally ran a coalition ticket which was elected with little opposition. They renominated the ticket of the year before with the exception of the candidate for attorney-general, for which office Jerome B. Kimball of Providence was named in place of Charles Hart, who had resigned the office in January, 1858. The Democrats nominated Alexander Duncan, a wealthy landholder of Providence, but he declined and Elisha R. Potter was nominated in his place, with Ariel Ballou as the candidate for Lieutenant-Governor. Dyer received 7,934 and Potter 3,572 votes. On May 28, 1858, ex-Governor Henry

B. Anthony was elected to the United States senate, receiving 92 out of 100 votes. George H. Browne, the Democratic candidate, had seven votes, and Elisha Dyer one. The Republicans and Americans clashed over the legislative ticket in Providence, and it required eight elections to elect a full quota of officers. The Democratic state convention gave a qualified endorsement to the Lecompton (Kansas) constitution in its resolutions this year. A short time before the convention met a resolution instructing and requesting Rhode Island Congressmen to oppose the admission of Kansas under that constitution—a resolution introduced by Senator Alfred Anthony of Johnston, a Douglas Democrat—passed both houses of the general assembly without opposition.

Lieutenant-Governor Turner was nominated by the American Republicans and the Republicans for Governor in 1859 and the two conventions agreed upon the same candidates for secretary of state and attorney-general. They made separate nominations for Lieutenant-Governor and general treasurer, the American Republicans naming Isaac Saunders of Scituate for the former office, while the Republicans named Thomas J. Hill of Warwick. Saunders received 5,570, Hill 3,317, and Fenner Brown, Democrat, 3,351 votes. Saunders and Samuel A. Parker, the American Republican candidate for general treasurer, were elected by the general assembly. Turner's majority for Governor was 5,378, Elisha R. Potter being the opposing candidate. Jerome B. Kimball, the coalition candidate for attorney-general, was elected by a majority of 4,430 votes. As it was shown, however, that he was not a qualified voter on the day of the state election, the grand committee decided that there was no election, and elected Charles Hart, one of the candidates who ran against him. Mr. Hart accepted the office, qualified and immediately resigned. Mr. Kimball was then elected by the general assembly to the office for which he was chosen by the people. William D. Brayton was re-elected to Congress in the western district by 1,349 majority over Alfred Anthony, Democrat. In the eastern district there was no choice on the first trial, Christopher Robinson, American Republican, receiving 3,846; Thomas Davis, Republican, 2,450; Olney Arnold, Democrat, 1,507. A second election was held in June, when, Mr. Arnold having withdrawn, Mr. Robinson was elected.

The mechanics' lien law was amended by making vessels as well as real estate and chattels attachable for labor and material in their construction and repair. Representatives William Sanford of Providence and Sullivan Ballou of Smithfield, both American Republicans, introduced resolutions, respectively, at the January session, for the appointment of a joint committee to consider the subject of amending the constitution, and for a constitutional convention. A joint special committee was appointed to consider and report what if any amendments might be submitted to the people in April. There is no record of any

report having been made. Mr. Sheffield of Newport introduced a bill in the house, which did not pass, to allow persons imprisoned for debt on actions for trover, to take the poor debtor's oath, after having been imprisoned for ninety days. A good deal of ill-feeling was exhibited in the assembly over the case of Ives against Hazard,<sup>1</sup> which had been decided in favor of the plaintiff some years before. The defendant, Charles T. Hazard, petitioned for a rehearing, and a resolution reversing the decision of the Supreme Court was finally laid on the table by a vote of 36 to 31. The chief justice of the Supreme Court, Samuel Ames, was also the reporter of the decisions of the court, and he was openly charged in the assembly and in the public press with having unfairly reported the case. He asked for an investigation, and a joint special committee, of which Speaker Van Zandt—the leader in the house of the attack on the Supreme Court—was chairman, made a report, declaring that the chief justice had not compiled the report "in such a manner as to subject him to the censure of this house." This celebrated case brought up the question of the constitutional right of the general assembly to reverse a decision of the Supreme Court. While the assembly was unquestionably the court of last resort under the charter, a majority of the legal talent in the assembly as well as of the other members of the Rhode Island bar, contended that the judicial functions of the assembly had been surrendered in framing the constitution. The Supreme Court was asked for its opinion upon the question, and it denied the right of the assembly to pass upon court decisions.

The John Brown raid, toward the close of the year 1859, caused great excitement in Rhode Island as elsewhere. Public meetings were held, and in some cases speeches of radical anti-slavery men were almost incendiary in character; but many of the Republicans feared the effect of the John Brown act, and of its endorsement at the North, upon the South, and were ready to unite with the Democrats in a constitutional union movement. Meetings were held with this view early in 1860. The Republicans held their convention January 4, 1860, and nominated Seth Padelford of Providence for Governor and Stephen N. Mason of Smithfield for Lieutenant-Governor. The nomination of Padelford was unsatisfactory to many Republicans, because of his supposed radicalism, and a convention of the "bolters" held in Providence on February 1, nominated Colonel William Sprague of Warwick

<sup>1</sup> From the testimony it appeared that Charles T. Hazard of Newport had been deputed to purchase certain real estate in that city at a stipulated price by Robert H. Ives of Providence; that he bought it for himself and agreed to sell it to Ives at about 50 per cent. advance, and afterwards pleaded his wife's refusal to sign the deed; that Ives, holding his written promise, insisted upon his keeping his agreement, and brought a suit in equity, which the Supreme Court decided in his favor. The numerous pamphlets relating to this case are listed in Bartlett's *Bibliography of R. I.*, p. 162.

for Governor, and endorsed the other nominees of the regular convention. Later in the month the Democratic state convention and a Young Men's convention met at Providence on the same day and nominated a "Union" ticket with Sprague for Governor, J. Russell Bullock of Bristol for Lieutenant-Governor, Walter Burges for attorney-general, and Bartlett and Parker, who had already held their offices for several years, for secretary of state and general treasurer. The combination was too strong for the Republicans, and the whole union ticket was elected, Sprague's vote being 12,278, and Padelford's 10,740. The Democrats and Union Conservatives elected a majority of both houses of the general assembly, including all of the Providence assemblymen. Sprague had large majorities in both Providence and Newport.

An interesting incident of this campaign was a campaign speech by Abraham Lincoln in Providence on March 30. He was not then looked upon as a probable candidate for President, but his speech was an able and impressive one, and attracted unusual attention, both in the Journal and the opposition press. Later in the year, on August 1, Senator Douglas, then a nominee for President, partook of clams and addressed an admiring throng of 10,000 people at Rocky Point. The day before he spent in Providence, where he was given a flattering reception by all parties. When the voters reached the ballot box, however, in November, the state went for Lincoln by a vote of 12,244 to 7,707 for Douglas.

In the senate, February 21, 1860, Mr. Burges, Democrat, of Cranston, in behalf of a joint special committee, reported four proposed constitutional amendments. They were: to repeal the registry tax and substitute a poll tax; to provide a regular salary for members of the general assembly, subject to deductions for non-attendance; to relieve the Governor from presiding in the senate and make the Lieutenant-Governor its presiding officer; and declaring that the general assembly continues to exercise the same power of granting new trials and rehearings that it possessed before the adoption of the constitution. The propositions were all rejected by the senate.

Acts were passed in 1860 to prevent the introduction of infectious and contagious disease among neat cattle; and submitting the question of the erection of a new State House to popular vote. The proposal was to erect a new structure in Providence at a cost of not more than one hundred and fifty thousand dollars. The proposition was overwhelmingly defeated, nearly every town outside of Providence, voting against it. An act for the abolition of colored schools in Providence was defeated in the house at the January session, by four majority. At the same session, Charles T. Hazard, the complaining litigant in the famous Ives vs. Hazard case, was given leave to withdraw by a vote of 35 to 28 in the house. Mr. Van Zandt, who had strongly



PAWTUXET COVE LOOKING TOWARD THE NORTH.

championed the petitioner's cause the previous year, favored the motion, declaring that he had been grossly deceived in the case. A proposed amendment to the laws governing the courts, by which the reportership was to be separated from the office of chief justice, was defeated in the house by a decisive vote.

The boundary dispute with Massachusetts, the mention of which carries us back to colonial days, was now in a fair way of settlement. For some twenty years or more proceedings in equity had been pending in the Supreme Court of the United States, during which time the state had from time to time employed some of its best legal talent to look after its interests. An agreement for an adjustment of the boundary was now made by the assembly in March, 1860, and was acceded to by Massachusetts in the following month. The change was consummated on March 1, 1862. The practical result was the cession of the town of Fall River, Rhode Island, to Massachusetts, in exchange for the greater portion of the town of Pawtucket, Massachusetts, and the western part of the town of Seekonk, in that state, which after its annexation became the town of East Providence. The inhabitants of the several towns subjected to the proposed transfer were generally in favor of the change.<sup>1</sup> Further action was taken regarding the boundary at the January session in 1861, as considerable legislation was required to adjust legal conditions in the annexed portions to Rhode Island laws.

The assembly at this session restored the charter of the "Grand Lodge of Ancient Free and Accepted Masons of the State of Rhode Island and Providence Plantations," which had been surrendered to the state in 1834. The first charters for horse railroads were granted at this session. They were for a road from Central Falls through Pawtucket to Providence, and two lines from Olneyville to Providence, by the way of Broadway and High streets, respectively. According to the census of 1860, Providence had 50,666 inhabitants. Smithfield had increased to 13,283, and Newport to 10,508. The great gains of North Providence from 7,680 to 11,818, and of Cranston from 4,311 to 7,500 were chiefly due to their proximity to Providence.

<sup>1</sup> A singular circumstance connected with this boundary settlement was the apparant unfamiliarity with local geography shown by the boundary committee which rendered a report at the January session in 1860. In giving a detailed account of the accessions to or excisions from the various towns on the border in the adjustment of the line, no reference whatever was made to the town of Pawtucket, which it was proposed to transfer almost bodily to Rhode Island. The committee speak of the proposed a cessions of territory "from the towns of Westport, Swanzey and Seekonk." The Massachusetts town of Pawtucket was severed from Seekonk in 1828, and had been a separate town for thirty-two years when this report was made, but the committee had presumably taken its bearings from old surveys, and they evidently considered the term "Pawtucket" as only expressive of large twin villages in the towns of North Providence, Rhode Island, and Seekonk, Massachusetts, separated from each other by the Seekonk river.



The Republicans made a great effort to defeat the coalition against them in 1861. They nominated James Y. Smith of Providence for Governor, Simon Henry Greene of Warwick for Lieutenant-Governor, and Sullivan Ballou of Smithfield for attorney-general. The Democrats and Constitutional Unionists renominated Sprague and Burges and nominated Samuel G. Arnold of Middletown for Lieutenant-Governor. The coalition candidates were elected by majorities of from 1,506 to 1,661. The vote for Governor was Sprague, 12,005; Smith, 10,326. William P. Sheffield and George H. Browne, the coalition candidates for Congress, were elected by moderate majorities over Christopher Robinson and William D. Brayton respectively.

The representation of the several towns in the house of representatives was reapportioned at the January session in 1861, the step having become necessary in consequence of the changes of population, as shown by the census of 1860. North Providence, Cranston, Westerly and Fall River each gained a member, Warren, North Kingston and Glocester each lost one, and Tiverton lost two.<sup>1</sup>

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## CHAPTER XXII.

### THE LAST FOUR DECADES.

The part that the state of Rhode Island took in the suppression of the Rebellion of 1861 was alike creditable to her citizens and to her public men then in positions of authority. No half-hearted measures were pursued, but a quick response was made to all demands for troops or money. An active patriotism animated the people, which found vent in the rapid equipment of regiment after regiment, until in the end it was found that the state had sent into the field more than her quota of troops.

A peace convention was held at Washington from February 4 to February 27, at which ex-President John Tyler presided, and twenty-one states represented. The Rhode Island delegates were Samuel Ames, Alexander Duncan, William W. Hoppin, George H. Browne, and Samuel G. Arnold. In the interests of peace a compromise was adopted and presented to Congress, but no action was taken by the national legislature. The northern delegates to this convention willingly voted

<sup>1</sup>Tiverton, which had three members by the apportionment of 1851, owed its third member to a large fraction. When a portion of the town was set off, in 1856, and made the town of Fall River, each town was given one member, and the third one was not apportioned to any town.

for concessions that they were opposed to, because by so doing they desired to avoid the greater evils of disunion and war. They thus illustrated the conservative and fair dealing attitude of mind that animated them, and which was general at the north.

While these efforts at conciliation were in progress many rumors were current of contemplated attempts to seize Washington in the interest of the southern states. Governor William Sprague, in view of the danger of such an attack, offered to President Buchanan the use of the Rhode Island militia to defend the capital, but the President refused to accept this aid. The Rhode Island secretary of state, John R. Bartlett, made substantially the same offer early in January, 1861, in a letter to the secretary of war, but no response was received to this letter. In accordance with a letter of instructions from Governor Sprague, dated January 24, 1861, Major William Goddard, accompanied by Senator Henry B. Anthony, called upon General Scott, then commander-in-chief of the army of the United States, and offered the services of the entire body of the Rhode Island militia "to aid in protecting the constitution and laws," with the assurance that they could be at once sent on to Washington. General Scott evidently would have been glad to avail himself of this offer, but could not do so without being instructed by the President and the secretary of war. As this authority was not forthcoming, the project fell through. This affair, however, illustrated the willing patriotism of the Rhode Island men, and the harmony that prevailed among them on this great question of the preservation of the nation.

With the election of Abraham Lincoln as President, November 7, 1860, the rebellion of the southern states may be said to have begun, as the work of organizing the Confederacy assumed definite shape from that day. One after the other, the southern states passed ordinances of secession, and proceeded to raise and arm troops. All property, arms and munitions of war within their limits, belonging to the United States, were seized and appropriated to the use of the rebels. Jefferson Davis was inaugurated President of the Confederate States of America, February 18, 1861, and three days later General Twiggs of the United States army surrendered 6,000 men and \$1,200,000 worth of property to the state of Texas. The Civil War, however, did not actually begin until after the inauguration of President Lincoln. Notwithstanding the action of the southern states in organizing an independent government, there was a feeling at the north that perhaps after all some way might be found of patching up the difficulty without coming into actual conflict. This idea was rudely dispelled by the attack on Fort Sumter, April 12, by General Beauregard, and its surrender after a gallant resistance by Major Anderson, two days later. This event created wide spread indignation in the north and convinced the northern people that war was inevitable.

The day after the surrender of Fort Sumter, April 15, President Lincoln issued a proclamation calling for 75,000 men to volunteer for three months, in which time it was thought that the rebellion could be stamped out. The President had previously announced his determination to maintain the Union at all hazards. This attitude on his part inspired the people of the north with confidence, while the attack on Fort Sumter proved that energetic and prompt action was necessary if the President was to be sustained. The response to the call of the President for men was immediate and spontaneous in all the northern states, and Rhode Island was in the forefront in equipping and forwarding troops.

On April 16, the day after the President's proclamation, Governor Sprague issued an order for the organization of the First Regiment of Infantry. This was accomplished so promptly that on April 20 the first detachment left Providence under command of Colonel Ambrose E. Burnside, and the second on April 24, under command of Lieutenant-Colonel Joseph S. Pitman. The scenes and incidents of the organization of this regiment are thus graphically described by a local writer:

"The streets of Providence now resounded with the tramp of armed men and the notes of martial music. The vestrys of the churches, halls and private dwellings were filled with women at work upon the outfit of the soldiers. The country towns vied with Providence and Newport in the good work. Twenty-five hundred men volunteered for service in this regiment, and the fifteen hundred not allowed to depart in it felt as if they had met a personal loss. The regiment was selected from this array of volunteers as follows: Six companies from Providence, one from Newport, one from Pawtucket, one from Westerly, and one from Woonsocket."

Great credit is given Governor Sprague for his course during the early days of the war, not only for the energy he displayed in raising and equipping troops, but also for the great financial assistance he furnished at the same time. Much money was needed, and the state was not in a position to provide it immediately. The firm of A. & W. Sprague at once offered to guarantee the payment of all accounts for equipping the troops, and as the credit of this manufacturing house at that time was unlimited, there was no difficulty under such circumstances in organizing regiments and securing all the necessary supplies.

Governor William Sprague was untiring in his efforts to secure troops, and his zeal and enthusiasm contributed largely to the success that was attained in filling the Rhode Island regiments. He resigned as Governor to take his seat as senator from Rhode Island in the United States Congress, March 3, 1863, and his unexpired term as Governor was completed by William C. Cozzens, who held the office

from March 3 to May. James Y. Smith was then elected and held that office until 1866. Governors Sprague and Smith were consequently the war governors of the state. During Governor Sprague's term the troops went to the front, while during Governor Smith's incumbency recruiting went on to keep the regiments up to their war footing, and the executive had also much to do with regard to questions of accounts, details of administration and the straightening out of various financial tangles.

Rhode Island was subjected to its most trying test of patriotism in the great struggle between the states, during the last two years of the Civil War, when James Y. Smith was Governor. The war was at its height. Call after call for troops followed in rapid succession, and drafts were ordered in most if not all of the loyal states. The demand for men by the government was continuous and imperative, but Rhode Island had had all the experience with a draft its people desired, and its Chief Executive, sharing the general feeling, determined that all calls should be filled by voluntary and not by enforced service. As the calls already made had taken off from her soil the major portion of its real fighting material, who by their bravery and devotion were winning a golden opinion for the state, the task of avoiding a second draft was arduous if not well nigh impossible. Herculean as the labor was, however, it was accomplished at last, but not without the expenditure of large sums of money for bounties, recruiting agents, and other expenses, which were cheerfully voted, for money was as nothing in those days compared with the apprehension of enforced military service.

Political excitement ran high at that time, and these heavy expenditures awakened criticism of and reflection upon the Governor in unfriendly quarters. A legislative committee to investigate reported, to use their own words, "that they do not believe that he (the Governor) has intentionally done anything wrong in the recruiting business, or that he has directly or indirectly profited therefrom," while the popular verdict was rendered at the next annual election when he received a majority in every town and ward in the state, a case rarely if ever paralleled in the annals of the state.

This interesting episode in our history is thus summarized, the day after Governor Smith's death, by the Providence Journal, which was politically opposed to him during his life:

"From 1863 to 1865-6, inclusive, he served the state with ability, fidelity and patriotism as its Chief Magistrate. The period covered by this service was a very trying one, from the fact that it was the most gloomy period in the history of the Civil War. The quota required from this state, under the several calls for troops, amounted during Governor Smith's administration to above thirteen thousand five hundred men. The people of the state were adverse to a draft,

and this whole number of men were secured by voluntary enlistment, but necessarily at a great cost in the way of bounties and services of recruiting agents. In the strife which political excitement engenders, it is not strange that with so many conflicting and adversary interests to reconcile or to contend against, Governor Smith did not altogether escape the shafts of partisan censure and attack, but the sober judgment of the people in reviewing his administration will accord to him an honest and sincere desire to uphold the honor and patriotism of the state."

A branch of the United States Sanitary Commission was established in Providence, October, 1861, and it did good service in collecting and forwarding medicines and supplies. The Providence Ladies' Volunteer Relief Association made and forwarded garments and clothing, and many of the women of the city were actively engaged in the work of this organization, which accomplished a great deal of good. In the spring of 1863 this society became known as the Rhode Island Relief Association, and worked as auxiliary to the Sanitary Commission. Various other associations with similar objects existed in Providence and in every town in the state, and they all performed noble work.

Rhode Island sent into the field during the rebellion 24,042 men, including 10,382 infantry, 4,394 cavalry, 5,642 heavy artillery, 2,977 light artillery, and 645 men for the navy. These figures, however, include re-enlistments, and the actual quota has been given as 23,778. Of these 10,440 enlisted during Governor Sprague's administration, and 13,338 while Governor Smith was in office. The casualties were: 255 killed, 1,265 died of wounds or disease, and 1,249 were wounded. Eight regiments of infantry were enlisted, three for three months, two for nine months, and three for three years; three regiments of cavalry for three years, and one squadron for three months; three regiments of heavy artillery and one regiment of light artillery for three years, two light batteries for three months, and a company of infantry as hospital guards.

The total expenditure of the state of Rhode Island and of the cities and towns on account of the war, amounted to \$6,500,000. Of this amount the United States government refunded \$933,195.45; the cities and towns spent directly, for which they were not reimbursed, \$1,156,589.86; and the state spent directly \$3,610,000, in addition to reimbursing the towns and cities to the amount of \$465,690, thus making the total state expenditure \$4,075,690, exclusive of claims against the United States of \$335,287.74. Considerably more than half of the expenditures of the cities and towns, \$820,768.80 was for bounties.<sup>1</sup>

These facts in regard to the men sent out and the money spent demonstrate that the Rhode Island people manifested a vigorous and self-sacrificing patriotism, which is worthy of all praise and honor. The

<sup>1</sup> *Adjutant-General's Report for 1865*, pp. 8-9.

scandals in regard to the bounty frauds and the financial irregularities in the accounts were due to the crimes or errors of a few men, whose actions, while lamentable, are such an inconsiderable part of the whole record that by contrast the magnificent attitude of the people and the state stand out in clear relief for nobility, honor and self-sacrifice.

The creation of a large military population brought about certain alterations in suffrage conditions, and considerable of the time of the assembly during the war was spent in trying to alter the constitution to suit these changes. An amendment to the constitution giving naturalized soldiers and sailors in Rhode Island commands equal voting rights with the native-born population was passed by the legislature in 1862, and for the second time in 1863. When it was submitted to the popular vote, it failed to receive the necessary three-fifths vote and was rejected. In the following year, the same amendment, coupled with two others—one substituting a poll tax for the registry tax, and the other allowing citizen soldiers in the field to vote—passed the assembly. When submitted to the people, only the last one of the three was accepted, which was accordingly entered as the 4th amendment. The most important matter outside of war measures during the period was the settlement of the boundary agreement with Massachusetts, whereby Pawtucket and East Providence were turned over to the state, and the new town of Fall River was surrendered to Massachusetts.

Immediately succeeding the period of the war there was the attempt made to extend the elective franchise to naturalized citizens of Rhode Island who were excluded by the constitution of 1843. According to this instrument, a citizen of foreign birth, even although he had complied with all the requirements of the United States naturalization laws, could not vote unless he possessed a freehold. Those who desired a change in the Rhode Island constitution to offset this disqualification asserted that "the naturalization laws of the United States are, within the State of Rhode Island, nullified, and the whole political power of the state vested in the native population, while the naturalized citizens, who have renounced all claim to the protection of the country of their origin, and either are, or are entitled to be citizens of the United States, are rendered, unless in exceptional cases, utterly alien to the institutions of their adopted country".<sup>1</sup> In 1867 and 1868 attempts were made to remove these restrictions by framing a new constitution, petitions being headed by Governor Burnside in behalf of naturalized veterans, and by Mayor Doyle for naturalized

<sup>1</sup>C. E. Gorman's *Elective Franchise*, p. 21. The judiciary committee of the U. S. senate had decided that R. I.'s property qualification clause was not in conflict with the fourteenth and fifteenth amendments. (See H. B. Anthony, *Defense of R. I.*, p. 10).



citizens. Although the house did pass these proposals as amendments to the constitution, the senate rejected them and the attempt failed.

During the administration of Seth Padelford, who succeeded Burnside in 1869 and was governor for four years, similar bills were introduced providing for a constitutional convention, but failed of passage. The legislature was not quite ready for such an abrupt move, although it did show its favor to the proposed changes in the form of amendments to the constitution. Thus in 1871, the assembly voted to submit to the people the following amendments: That the property qualification clause should be repealed so far as related to foreign-born citizens, that the registry tax should be repealed and that state appropriation for sectarian purposes should be prohibited.<sup>1</sup> These all failed to receive the necessary three-fifths vote of the people, the third amendment alone obtaining even a majority.

During the last two years of Padelford's administration and that of Governor Henry Howard, who succeeded him in 1873 and 1874, several boundary questions of a local nature were settled. In March, 1871, the large town of Smithfield, which comprised the whole northeastern quarter of Providence county, was divided. A portion was set off to Woonsocket, while the remainder was split up into three towns—Smithfield, North Smithfield and Lincoln. In 1873 a portion of Cranston was annexed to Providence and formed into a public park, now known as Roger Williams Park.<sup>2</sup> In the following year North Providence was divided into three portions, a part being annexed to Providence, another part being joined to Pawtucket, while the third and smallest portion retained the town name. It was also proposed that a portion of the town of Johnston should be annexed to Providence, but the Johnston taxpayers, by a small majority, voted against the scheme.

Governor Howard was succeeded in 1875 by Henry Lippitt, who headed the administration for two years and was followed in 1877 by Charles C. Van Zandt. Attempts to change certain provisions in the constitution during this period were frequent, although generally unsuccessful. In 1873 a motion to introduce a woman's suffrage amendment failed, as did a conditional motion of a similar nature, championed by Amasa M. Eaton in the following year. This same subject, as well as that of the registry tax, was often introduced, but nothing effectual was accomplished. In 1876, after considerable discussion in the assembly, three articles of amendment were passed and submitted to the people in December. They were the repeal of the

<sup>1</sup> *January schedule*, 1871, p. 204.

<sup>2</sup> Another portion of Cranston had previously been annexed to Providence in 1868. The park property had come from the bequest of Betsey Williams, who left the land for the purpose at her death, November 27, 1871. In 1872 the assembly authorized the city to establish a public park.



PROVIDENCE FROM THE SPIRE OF THE FIRST BAPTIST MEETING HOUSE.  
TAKEN BEFORE THE BANQUAN BUILDING WAS ERECTED.

clause in the constitution regarding corporations, the repeal of the registry tax, and the enfranchising of the foreign-born soldiers and sailors on the same terms as native-born citizens. These all failed to receive the necessary three-fifths vote. Governor Lippitt, in referring to the matter said: "Our people are very conservative, and justly so, in their action on any amendments to the constitution, but these amendments had been carefully considered by the legislature, and I think were worthy of a vote of approval. That relating to the registry tax particularly, if it had been adopted, would have enabled the legislature, to provide for a tax in some other form, and thereby remove from our state politics a source of corruption which has increased wonderfully of late years."<sup>1</sup>

The year 1876 was a memorable one in the history of the country as being the centennial of the nation's birth. Rhode Island's share in the great exhibition at Philadelphia was a notable one. Her industries and products were very generally represented, and notwithstanding her small size, only seven other states entered larger applications for space. Especially prominent among exhibits was the great Corliss engine. This great triumph of mechanical skill, which furnished all the power required for Machinery Hall, was one of the most notable features of the exhibition and reflected great credit on the state in which it was invented. The first week in October was known as Rhode Island week, when a reception was held in the state building, and Rhode Islanders from all over the country gathered to renew old ties and form new ones. Both the legislature, through generous appropriation, and the citizens, through their exertions, worked hard to place Rhode Island in an honorable position by the side of other states of a much larger extent.<sup>2</sup> The year 1876 was also productive of a renewed interest in the history of the state covering the centennial celebrations of many important events and causing the publication of historical sketches for many of the towns.

Governor Van Zandt, whose administration began in 1877, was succeeded by Alfred H. Littlefield, 1880-83, Augustus O. Bourn, 1883-85, and George P. Wetmore, 1885-87. In this decade the attempts to alter the constitution were chiefly in regard to the introduction of woman's suffrage, the repeal of the registry tax, the prohibition of liquor, and the extension of the franchise to naturalized citizens who served in the Union army or navy during the Civil War. Only the last two propositions met with favor. Liquor legislation had often been a subject of discussion before the assembly. Although a sort of prohibitory law had been tried for a short period, the state had been under some form of license for practically its whole existence. There had been a grow-

<sup>1</sup> *Governor's Message*, 1877, p. 18.

<sup>2</sup> *Governor's Message*, 1877. See Greene's *Short history of R. I.*, p. 286, for a list of products in which R. I. showed conspicuous excellence.

ing feeling that the license system had not accomplished the best results, and of course absolute lack of any restraint was too dangerous a procedure. As one writer said, "If, then, license is inefficient and freedom unwise, we are forced to the conclusion that prohibition at least deserves a trial commensurate with the importance of the end to be obtained. There has been no such trial in this state as yet, for no great moral or social reform can be effected in a few months or in a few years."<sup>1</sup> With the hope of thus bettering the situation, the legislature, in 1886, voted to submit to the people the following amendment: "The manufacture and sale of intoxicating liquors to be used as a beverage shall be prohibited. The general assembly shall



CITY HALL, PROVIDENCE, R. I.

provide by law for carrying this article into effect." In the April election the people sealed their approval of the new system by a vote of 15,113 to 9,230. But the prohibitory method proved far from satisfactory. The violation and defiance of the law were general, and cases were rarely pressed. In January, 1889, the assembly voted that the previous prohibitory amendment should be annulled, and in June the people concurred in their opinion by a vote of 28,315 to 9,956. A special session of the legislature was called in July, when a new license law was passed.

<sup>1</sup> J. H. Stiness, *R. I. legislation against strong drink*, 1882, p. 48.

At the same session of March, 1886, that passed the prohibitory amendment, the following amendment was also passed for the second time and offered to the approval of the people: "All soldiers and sailors of foreign birth, citizens of the United States, who served in the army or navy of the United States for this state in the late Civil War, and who were honorably discharged from such service, shall have the right to vote on all questions in all legally organized town, district or ward meetings, upon the same conditions and under and subject to the same restrictions as native born citizens." At the election in April, it was formally approved by the people by a vote of 18,903 to 1,477.

During this decade, from 1877 to 1887, among the acts passed of some importance was that abolishing tribal authority and tribal relations of the Narragansett Indians. This tribe had been undergoing a gradual process of degeneration, and for many years the annual appropriation for the Indian school had proved of no practical benefit. Accordingly, on March 31, 1880, all distinctive legislation connected with them was repealed, and a few months later the state purchased their tribal lands, which were sold at auction.<sup>1</sup>

An important movement, initiated by the harbor commissioners in 1877, was that of improving the harbor facilities in Narragansett Bay and its estuaries. Congress, by 1883, had appropriated \$355,000 for this purpose, and thereafter made such further appropriations as the necessity of the work required. During the process of operations, the channel of the bay, and also of the Providence and Pawtucket rivers, was widened and dredged, Newport harbor was deepened, work on the Block Island breakwater and harbor was begun, and improvements were made in several of the smaller rivers. This aid given to the facilities for navigation was well placed, and resulted in increased commercial enterprise. Other important measures of this same period were the final adjusting of the two boundary questions—the northern line with Massachusetts in March, 1883, and the western line with Connecticut in May, 1887.

At the January session in 1887 a motion was successfully introduced, promising the long sought for extension of the suffrage. Sen-

<sup>1</sup>See *Governor's Message*, 1881, p. 81. See also the four reports of the Commission of the Affairs of the Narragansett Indians, 1880-85. Nearly 20 years after the dissolution of the tribe some of its former members, having been encouraged by the advice of counsel to believe that a demand upon the State might be successfully maintained by attacking the act of 1880, dissolving the tribe and authorizing the sale of its lands, the opinion of the Judges of the Supreme Court of the state was obtained, which opinion, fully considering the relations of the tribe to the state from the first settlement of the colony down to and including the passage of the act, and the provisions thereof, and pronouncing the act constitutional in all its parts, is believed to constitute the final chapter in the history of the once famous Narragansett Tribe of Indians.

ator Bourn of Bristol presented an amendment to the constitution, providing for the substitution of a poll-tax for the registry tax, and the removal of discriminations against naturalized citizens.<sup>1</sup> It again passed both houses at a special November session in 1887, and when submitted to the people on April 4, 1888, it was adopted by a vote of 20,068 to 12,193. A difference of opinion then arose as to the operation of this amendment upon the registry laws mentioned in Chapter VII of the Public Statutes. Upon requisition of the Governor as to the subject, the Supreme Court decided that any provisions in the constitution conflicting with the amendment were annulled and that the present registry law was fully operative.<sup>2</sup> Thus this long retarded act of justice to naturalized citizens, which had been in process of development for nearly three-quarters of a century, was brought to pass. It was perhaps the most important political change since the forming of the new constitution.

The recent growth of the manufacturing towns in the northern part of the state caused many of their inhabitants to desire a change to a city form of government. Accordingly, on March 27, 1885, the assembly submitted to the people of Pawtucket an act of incorporation as a city. On April 1 this was accepted by a vote of 1,450 to 721, and Pawtucket was created as the third city in the state. In like manner, on June 13, 1888, the town of Woonsocket was incorporated by the assembly as a city, which act was accepted by the people of that town on November 6 following. In March, 1888, the District of Narragansett was taken from South Kingstown and given all the powers of a town, except representation in the general assembly.<sup>3</sup>

During the years from 1889 to 1893 the requirements of a majority instead of a plurality vote seemed frequently to defeat the choice of the people in their election of a Governor. In 1887 Governor Wetmore had been defeated for re-election by John W. Davis, the Democratic candidate, who in turn was defeated in 1888 by Royal C. Taft,

<sup>1</sup>The payment of the registry tax had always been a prerequisite to the electoral privileges of the registry class. This feature was not attached to the poll tax, which was independent of the ballot. This, as well as the removal of the real estate discrimination against naturalized citizens, was a distinct enlargement of the electoral privileges of the registry voters; but, on the other hand, the Bourn amendment deprived the registry voters of Newport, of Pawtucket, and of all cities incorporated after its adoption, of the right to vote for members of the city councils.

<sup>2</sup>The text of the amendment is given as Article of Amendment VII in recent editions of the statutes. The new amendment was very similar to the provision on the same subject as drawn up by Dorr in the People's constitution in 1842, although even more liberal. (See Rider's *Book Notes*, v, 56). The opinion of the Supreme Court upon the operation of the amendment is given in the *Governor's Message* for 1889, p. 17.

<sup>3</sup>In March, 1901, the District of Narragansett was incorporated as a town with the same privileges as other towns.



the Republican candidate. In 1889 the popular vote was considerably increased by the enfranchisement of naturalized citizens under the Bourn amendment, and ex-Governor Davis received a large plurality, but he failing to receive a majority over all, the Republican candidate, Herbert W. Ladd, was elected by the grand committee. Ex-Governor Davis again received a plurality over Governor Ladd in 1890, and failing of a majority was elected by the grand committee. In 1891 he received a plurality again, but the Republicans having a majority in grand committee, ex-Governor Ladd was elected Governor. In 1892 D. Russell Brown and William C. T. Wardwell were the candidates respectively of the Republicans and Democrats, and the former was chosen by the people. The next year Governor Brown's opponent was David S. Baker, who was given a small plurality of the popular vote. Owing to a disagreement of the two houses, one of which was controlled by the Republicans and the other by the Democrats, they did not meet in grand committee, and the old state officials held over.<sup>1</sup> This frequent defeat of the popular will showed that some change was needed. Accordingly a constitutional amendment providing for plurality instead of majority elections was passed and submitted to the people in November, 1893. It was approved by a vote of 26,703 to 3,331. Henceforth there was much more simplicity in methods of election, and the aggravation and expense characterizing the majority rule were removed.

In November, 1892, two constitutional amendments, having been passed by both houses, were submitted to the people. One, giving to the general assembly power to provide by general law for the creation and control of corporations was approved, 17,959 to 10,632. The other, providing for biennial instead of annual elections, failed to receive the necessary three-fifths vote. It was thought, however, that the opinion of the people was not fully expressed in regard to this latter amendment. Governor Brown, in recommending a re-submission of the question, said: "Rhode Island and Massachusetts stand alone among the states in their adherence to the antiquated practice of annual elections, a practice which weakens authority and discourages all effort to develop and improve the public service."<sup>2</sup> But the people were not quite yet ready for the change, and when the proposition was again placed before them in September, 1895, they rejected it by a vote of 10,603 to 7,449.

Governor Brown was re-elected in 1894 and was succeeded in the following year by Charles Warren Lippitt, who remained in office for two years. From 1897 to 1899 Elisha Dyer was elected Governor, and

<sup>1</sup> See Augustus S. Miller, *The conspiracy which overthrew constitutional government in R. I. in 1893*, and also the *Remarks* upon this pamphlet by Hon. Edward L. Freeman.

<sup>2</sup> *Governor's Message*, 1895, p. 37.

in 1900 and 1901 William Gregory was chosen to the office. All these officers were Republican candidates. During this period many new conditions and important events required legislative action. When the project for the great World's Fair at Chicago was suggested, the Rhode Island legislature made a primary appropriation of \$10,000 that the state should be properly represented, and subsequently increased this amount to a total of \$60,000. A beautiful state building was erected, and the state itself displayed two comprehensive exhibits—one illustrating educational work and the other menhaden and shellfish industries. There were about one hundred and thirty exhibitors from the state, representing machinery, manufactures of iron and wood, woolen and cotton textiles and jewelry. Scarcely another state in the Union furnished such a varied collection of interesting and important exhibits.<sup>1</sup>

In 1893, the assembly passed an act of considerable importance, which had been under discussion for two years. Under the title of "An act to simplify the duties, equalize the burdens, and increase the efficiency, of the Judiciary of the State," an act was passed altering those chapters of the public laws that related to the judiciary, repealing those measures that were obsolete, and harmonizing conflicting statutes.<sup>2</sup> The most important act of 1894 was the factory inspection law, passed on April 26. This provided for the appointment of two factory inspectors, regulated the employment of child labor, and required better sanitary arrangements in factories. On May 23, 1895, an act was passed for the improvement of state highways. A commission had been appointed in 1892 to inquire into this matter, and upon their report, it was enacted that a state highway commissioner should be appointed whose duty it was to provide for the improvement of highways and to encourage better methods of roadmaking. Provision was also made for the more effective maintenance and repair of highways and bridges.

In February, 1895, Central Falls, then with a population of nearly 16,000, was taken from Lincoln and incorporated as a city. A long act was framed providing for the investing of mayor and council and for the installation of the new form of government. In May of the same year the "city boomers" in Cranston had a similar act passed through the assembly for their town, but when it was submitted to the voters it was defeated by the narrow majority of 24. A like attempt in May, 1897, to incorporate Johnston as a city was defeated by the voters of that town by a majority of 75. In May, 1898, however, by legislative

<sup>1</sup> *Governor's Message*, for 1894, p. 36; J. C. Wyman, *R. I. at the World's Fair* (In *N. E. Mag.* new ser. x, 427).

<sup>2</sup> This act, generally referred to as the Judiciary Act, and its amendment of May 17, 1895, were both published separately from the regular series of numbered chapters of public laws.

act, the more populous portion of Johnston was annexed to Providence.

The most important events of the year 1898 were those connected with the war with Spain. At the very beginning of the struggle, the general assembly, on April 21, 1898, appropriated \$150,000 "to defray such military and naval expenses as may be necessary by reason of the existing conditions between the United States and the Kingdom of Spain." When, on April 23, 1898, President McKinley issued the call for troops, recruiting offices were immediately opened in Providence, Newport, Pawtucket, Woonsocket and Westerly. A regiment was quickly enlisted, known as the First Rhode Island Regiment, United States Volunteer Infantry, and was quartered at the state camping ground at Quonset Point. This regiment, numbering 12 companies of 77 men each, and commanded by Col. Charles W. Abbot, jr., started for Camp Alger, Va., on May 26, with the expectation of being immediately transferred from there to the actual scene of hostilities. This hope, however, was not to be gratified.

On May 25 came the second call for volunteers. By the 22d of the following month, 329 soldiers had been enlisted and departed to join their comrades at Camp Alger. Occasional rumors and false orders kept the men in hourly expectation of going to the front, but such was not to be their fortune. On August 3 the regiment broke camp to march to Thoroughfare Gap, Va. Here they encamped until August 22, when they were transported to Camp Meade, in Middletown, Pa. On November 3 another move was made and the regiment removed to Camp Fornance, Columbia, S. C., where it remained until mustered out of service in March, 1899. On April 1 the regiment reached Providence where it was disbanded, many of its officers and men seeking a further military career in volunteer regiments that were enlisted for service in the Philippines.<sup>1</sup>

The propositions to amend the constitution now submitted to the people comprehended a larger scope than merely the revision of certain clauses. There was an increasing sentiment for a general revision of the constitution. After several motions for a constitutional convention had failed of passage, in May, 1897, Senator Freeman presented a resolution providing for a bi-partisan commission of nine persons, to be appointed by the Governor, to revise the constitution, which passed without division. The resolution was amended in the

<sup>1</sup> In response to the second call for troops on May 25, 1898, Battery A and the Machine Gun Battery both offered to serve as light artillery organizations. They enlisted recruits, went into camp at Quonset Point, but, not being needed in active service, were granted honorable discharges on October 26. The various official documents and letters relating to the Spanish war were gathered by Governor Dyer into a volume entitled *R. I. in the war with Spain*. Brief accounts of R. I.'s relations to the war are in *Prov. Jour. Almanac* for 1899 p. 70, and for 1900, p. 41.

house at the January session, 1897, by striking out the word bi-partisan, and increasing the membership to fifteen, and the senate accepted the resolution as amended. The commission, composed of fifteen leading men of both party affiliations, held frequent hearings, and reported the revised document on February 23, 1898. It was speedily put through both houses, and was also accepted by the succeeding legislature in May. When submitted to the people, however, in November, it failed to receive the necessary three-fifths vote, the vote being, approve, 17,360, and reject, 13,510. With some slight changes it was submitted again on June 20, 1899, and was again rejected by a vote of 4,097 to 12,742. The people had evidently declared their mind to cling to the old method of only voting upon specific amendments to the constitution, at least until some better plan was provided.

The propositions for a constitutional convention had received somewhat of a drawback through the opinion rendered by the Supreme Court in 1883, that the constitution could be amended only in the way provided for by the instrument itself.<sup>1</sup> The only feasible method in order to remove objectionable features in the constitution, was for one legislature to submit to the succeeding legislature specific amendments to separate provisions. At the January session of 1900 a series of amendments were introduced abolishing the May session and therefore Newport as a state capital; increasing the pay of assemblymen to five dollars a day, for not more than sixty days in a year; changing the date of the state election from April to November, extending the time for registration of voters to June 30 of each year; and making several minor provisions for the election of general officers. This motion passed both houses at the January session and again at the following May session. In November, 1900, it was submitted to the people, and was accepted by a vote of 24,351 to 11,959.

In many ways the most important movement inaugurated toward the close of the century was the building of the new marble State House. The old structure on Benefit street, erected in 1760, had proved entirely inadequate for the purpose. For half a century attempts had been made from time to time to secure the necessary

<sup>1</sup> The court had decided that a constitutional convention, "if called, would be confined by the Constitution of the United States to the formation of a constitution for a republican form of government, and our present constitution contains the fundamental provisions, the great ground plan, of such a form of government as it is known throughout the Union. Any changes which are in contemplation are merely changes of superstructure or detail. Our constitution, too, contains in its bill of rights the great historic safeguards of liberty and property, which certainly no convention would venture either materially to alter or to abolish. Any new constitution, therefore, which a convention would form, would be a new constitution only in name; but would be in fact our present constitution amended. It is impossible for us to imagine any alteration, consistent with a republican form of government, which cannot be effected by specific amendment as provided in the constitution." (*R. I. Reports*, xiv, 654).



RHODE ISLAND STATE HOUSE.

legislation for the erection of a new capitol. In 1846 a plan had been formulated for a building to cost about half a million dollars, and many times from then until 1873 active effort was made to bring the matter up for discussion. In the latter year a committee had reported elaborately on a site, but then the matter was dropped for many years. In 1890 a committee was finally appointed to consider and report upon the subject. In accordance with the recommendation, a state-house commission consisting of thirteen men was chosen by the assembly with full powers to select a site and build a new capitol. An enabling act, authorizing the assembly to provide for the issue of \$1,500,000 in state-house bonds was passed and in November, 1892, was sealed with the popular approval. Additional issues of bonds to the amount of \$800,000 in April, 1898, and \$700,000 in November, 1900, brought the total up to \$3,000,000. Ground was broken for the building on September 16, 1895, when Governor Lippitt removed the first spadeful of earth, and the corner-stone was laid with impressive Masonic ceremonies on October 15, 1896. The assembly held its first session in the new building in January, 1901. The completion of this beautiful marble palace and the creation of Providence as the sole capital city mark an epoch in Rhode Island's history. For the first two centuries of the state's existence, when the towns were more nearly equal in size, the assembly had been making a circuit of Narragansett Bay in its endeavor to hold legislative sessions. In 1854, the number of capitals was reduced from five to two. Providence and Newport were the two largest towns, and henceforth Rhode Island indulged in the peculiar distinction of having two capitals. But as the manufacturing population in the northern part of the state gradually increased, the business of government centered more in that section and especially in the rapidly growing city of Providence. At the very close of the century, when Providence showed such gains as to have a population nearly five times as large as any other city in the state, the inevitable change came. Newport, the former "metropolis of the colony," was compelled to witness the loss of its cherished "election day" and the removal of its distinction as a state capital. It is the old story of historic sentiment yielding to the march of progress.

*Clarene S. Brigham.*



**The Wars  
and  
The Militia.**



## CHAPTER XXIII.

### THE WARS AND THE MILITIA.

At the beginning of the settlements in New England a military force was considered essential to the safety of the community. The wrongs which had been inflicted upon the Indians by the early visitors to the shores of New England, long before settlements had been projected, had aroused the suspicion, if not the enmity, of the natives, and while they were in many localities peaceably disposed and even on most friendly terms with the settlers, the uncertainty of their temper made it necessary for the public weal that some provision be made for defense in the event of their becoming hostile. The first action by the people of Rhode Island providing for such protection was at Portsmouth, when it was ordered "that on the 12th of this 9th month (1638) ther shall be a general day of Trayning for the Exercise of those who are able to beare Arms in the arte of military disapline, and all that are of sixteen years of age and upwards to fifty shall be warned thereunto".

This provided for the simplest kind of a military force; an occasion when each townsman was required to report at a place designated by the town authorities, equipped with his own gun and accoutrements. Here the townsmen were formed into companies, put through the crude military evolutions then in vogue, after which they were dismissed to pass the remaining portion of the day in a general good time.

The next year after this action of the town of Portsmouth the town of Newport provided for its military officers by ordering that "the Body of the people viz: the Traine Band shall have free libertie to select and chuse such persons, one or more from among themselves, as they would have to be officers among them, to exercise and train them and then to present them to the Magistrates for their approbation". William Foster, at the same time, was appointed Clerk of the Train Band, and was ordered to view the arms in the hands of the townsmen and report the defects to the town court. Robert Jeffries was selected to command on these occasions and instruct the Train Band in tactics and discipline. Not only did the townsmen arrange for an organized force for common defense, but it was ordered "that no man shall go two miles from the Towne unarmed, eyther with Gunn or Sword; and that none shall come to any public Meetings without his weapon.

Upon the default of eyther he shall forfeett five shillings''. This law was rigorously enforced, for, the next month, one of the members of the General Court that had passed this order, Mr. Easton, was promptly fined five shillings "for coming to the public meeting without his weapon according to that order".

On the 6th of August, 1640, at a session of the General Court, held at Portsmouth, a law was passed providing for the conduct of military affairs in a more elaborate manner than had heretofore been done, for it was agreed and ordered, "that all Men allowed and assigned to beare armes, shall make their personall appearance completely armed with Muskett and all its furniture; or pike with its furniture, to attend their Coulers by Eight of the clock in the morning, at the second beat of the Drum, on such dayes as they are appointed to Traine. And further it is ordered, that eight severall times in the yeare the Bands of each Plantation shall openlie in the field be exercised and disciplined by their Commanders and Officers. And further it is ordered that there shall betwo GeneralMusters in the yeare, the one to be disciplined at Nieuport, the other at Portsmouth; and that if any shall faile to make their personal appearance as aforesaid, according to time and place aforesaid, he shall forfeit and pay the sum of five shillings into the hands of the Clark of the Band. And further it is ordered, and by this present authority established, that if any person shall come to the said Training or Generall Muster, defective in his armes or furniture equivalent, he shall pay forthwith the sum of twelve pence; and further it is ordered, that when the Generall Muster shall be held at the one Towne, there shall be a sufficient Guard sett and left at the other Towne with the Constable or his deputy. And further, it is ordered, that the Commanders Vidg't, Chieftaine and Lieutenant, shall appoint the dayes and times of their s'd meetings; And further it is ordered, that all men who shall come and remaine the space of twentie days on the Island, he shall be liable to the injunctions of this order; provided, that if eyther heardsmen or Lighter men be otherways detained upon their necessary employments, they shall be exempted, paying only two shillings and six pence for that day, into the hands of the Clarke: And further be it established, that the two Chiefe Officers of each Towne, to witt: the one of the Commonweal, the other of the Band; and these two officers upon the exhibition of the Complaint by ye Clark (which shall be within three dayes after the faults committed), shall Judge and determine of the reasons of their excuses, who upon the hearing thereof, shall determine whether such person shall pay five shillings and six pence, or nothing. And further it is ordered, that Libertie be granted to Farmer or Farmers to leave one man at the s'd Farme, he paying the sum of two shillings and six pence into the hands of the Clarke. And further it is ordered, that the Clarke of each Band shall receive the monies off any Man to provide and make

supply of such things as he shall stand in need of; during which time, after the deliverie of the s'd money, he shall be excused for his defects in his Armes; but if the money be not delivered, then to be liable to the injunctions herein contained; provided, also that the Clark of each Band shall hereby be authorized to ask, receive or destraine for all such fines or forfeitures as by any are made, and that the said sum of monies so levied shall be employed to the use and service of the said Band.

“It is ordered, that the Treasurer shall provide and fitt up on Drum, Collers and halberts for the Band of Portsmouth.”

On the 5th of October, 1643, at Portsmouth, it was ordered that “Richard Morise and James Badcock shall look up all the armes in the Town and that ( ) and John Briggs shall go to every house and see what armes are defective; and that the men whose armes are to be handed in to be ( ) by the town aforesaid. If the armes be not brought in timely to forfeit five shillings”.

It was further ordered “that every man shall have four pounds of shot lying by him and two pounds of powder and to have it in readiness by the 24th of this month”. This day was pitched upon as a day for general training, and every man in the settlement between the ages named in the former order of the town was required to be in readiness at the beat of the drum. The clerk of the band who had been appointed to inspect the arms in the possession of the townsmen, reported many in a condition unsuitable for use, and such of the townsmen whose arms were in this condition were ordered to make their appearance before the judge within ten days, “to give answer for their deficiencies there”, and every Traine Soldier was required to be provided with his equipments in good order by the last day of April, 1643, at his peril.

A Portsmouth town order provided that “every man do come armed unto the meeting upon every sixth day”.

Mr. William Brenton was authorized to fix the days for trainings; officers were appointed to see that every one of the townsmen had the requisite amount of powder and bullets on hand ten days before such training day.

Officers were regularly appointed by the General Assembly of the Colony, called “Gun smiths for the Colony”, whose duty it was to keep in order and scrutinize the town arms and those in private hands.

All this activity regarding the militia was incited, no doubt, by the suspicious actions of bands of Indians who had been discovered prowling around the Island, for at the time it was ordered “that if there be any Indians skulking about in any part of the Island, thought to be suspicious, the magistrates are to send forth a man and ladye with . . . there before them”, the mutilated condition of the

records being responsible for the indefiniteness of the concluding portion of this order.

Having established the militia on an orderly and substantial footing, and being thus in a position where they could dictate to the Indians who had made themselves more or less offensive, the townsmen, in the solemnity of town meeting, issued an order requiring all the Indians in the town to depart forthwith, with all their effects, to the woods, and prohibiting them from returning into the town under heavy penalties.

On the 16th and 17th of March, 1642, the first officers for the Train Bands of these towns were chosen. Those for the town of Newport being: Robert Jeoffreys, Captain; Jeremy Clarke, Lieutenant; Wm Smith, Ensign; George Gardiner, Senr Sargeant; Robert Stanton, Junr Sargeant; Toby Knight, Clerk; while those for the town of Portsmouth were: Robert Morris, Captain; Wm Bolston, Lieutenant; Thomas Cornill, Ensign; Wm Cowland, Senr Sargeant; Thomas Gorton, Junr Sargeant; Adam Mott, Clerk.

The first Monday of every month was fixed for training, excepting in the months of May and August, January and February, the first two exceptions doubtless being the planting and harvesting time, while the weather in the latter months was liable to be too inclement for out of door exercise of this character.

Although at this period a settlement had been made at Warwick, the settlers had not assumed any of the functions of government, holding that so long as they were subjects of England, they had no lawful right to erect a government without authority from the crown. They, therefore, never exercised any such power of government or proceeded to elect any officers until the organization of a government for the Colony in May, 1647, under the charter of 1644.

The records of the first year of the Providence settlement are scant and imperfect; there is no reference to any proceedings regarding a military force until after the union of the four towns, Newport, Portsmouth, Warwick and Providence, in August, 1654. In that year, the 8th of the 9th month, Thomas Harris was chosen lieutenant over the Train Band. John Smith, the miller, ensign, and Benjamin Smith, sergeant. Thomas Hopkins and James Ashton were corporals, and John Sayles, clerk.

Thus was organized the first military force in the Colony for its defense against foes from within and without its borders.

Every male was required to be equipped with suitable "arms and furniture" for active service in the Train Band, and was also obliged to take part in the general training. No excuse was accepted unless by reason of "age, nonage, sickness, lameness or publique barringe of office at the time". In such cases a certificate of the military commander was issued to the person thus disabled. For neglecting to



take part in the muster or training previous to 1654 there was a fine of 5s., but in that year the penalty was reduced to 2s. and 6d.<sup>1</sup>

That the homes of the settlers, who lived remote from the compact part of the towns, might not be left entirely unprotected and at the same time the farmer be exempt from the payment of the fine for non-attendance on training days, it was ordered by a vote of the town meeting of Providence, "that those farms which are one mile off the Town alone, shall have liberty to leave one man at home on the trayning days".

In 1655 training days occurred four times a year, a reduction in the number which the laws required some eight years previous, for in 1647<sup>2</sup> training days were held on the first Mondays in each month except May, August, January and February.

These were days of great importance to the townspeople. Early in the morning the members of the several companies set out from their homes, oftentimes many miles from the rendezvous, bearing their arms and equipments for the day's service.

The Colony orders required them "to make their personal appearance, completely armed, to attend their colors by 8 o'clock in the morning at the second beat of the Drum", "provided with a muskat, one pound of powder, twenty bullets and two fadom of match, with sword, rest, bandaleers all completely furnished", and later it was declared that "fyrelocks and snaphaunces with powder hornes be allowed", as well as muskets. The rendezvous was often at some tavern, for the landlord usually held some position in the company. He always made preparation "against a training", for as the day was in the nature of a holiday and all the people laid aside their usual vocations, the tavern and its adjunct, the bar, became an attractive spot, and in those liquor-loving days, alcoholic stimulants were disposed of in great quantities on training days. Indeed, it was even hinted that trainings were sometimes ordered that a material benefit might accrue to the tavern keeper. Official notices, proclamations and such orders as were to be given the widest publicity were read at the head of the Train Band.

When the royal proclamation, announcing the death of King Charles the Second and proclaiming James the Second "By the Grace of God King of England, Scotland, France & Ireland", was received in Providence, on the 1st day of May, 1685, the Train Band was assembled in military order, and Thomas Olney, the town clerk, was appointed to read this royal document before the militia, and, with sound of drum and colors dipped, the clerk at the head of the procession proceeded to three public places in the town where this solemn duty was performed before the assembled populace; then he returned to his

<sup>1</sup>Early Records of Providence, vol. II, p. 77.

<sup>2</sup>R. I. Colonial Records, vol. I, p. 153.

desk and wrote upon the records of the town, for future generations to observe, "the which was duly attended unto & Solemnly performed upon ffriday the first day of May 1685: in the head of the Train Band there together in military Order & in presence of ye Assistants & principal inhabitants of said town".<sup>1</sup>

In later years the assembling of the companies always brought out a crowd of people and was a more or less festive occasion. It gave the opportunity for an interchange of news and gossip and furnished an excuse for certain excesses. Sometimes a town meeting was held on a training day, and on such occasions opportunity was given for concocting schemes for presentation at the meeting, combining all the facilities that are afforded now by the modern caucus. On this account voluntary trainings were sometimes brought about. Such a proceeding occurred in Providence in the winter of 1655, but the records of the town give but an imperfect knowledge of the difficulties which this affair produced. It was, however, a subject of "great debate" among the townsmen, and doubtless continued to be until the June following, when, at a town meeting, it was voted that 'wheas there hath Bin greate debate this day about Tho: Olnie Rob: Williams Jon ffield, Will Harris & others concerning ye matter of a tumult and disturbance in ye winter, under a pretence of voluntary training it was at last concluded By vote that for ye Colonies sake whoe had chosen Tho: Olnie an assistant & for ye publike union & peace sake it should be past By & no more mentioned.'<sup>2</sup> Whatever this affair was, it is, of course, impossible now to state, but it would seem as though all those who were engaged in it were heartily ashamed of the whole business and the sooner it was forgotten and forgiven the better it would be for all concerned.

The year 1672 brought to the Colony a series of troubles which aroused the people to a high state of excitement. The efforts of the Connecticut Colony to extend its jurisdiction to the Narragansett Country brought about a conflict at Westerly, where several persons were assaulted and carried away as prisoners. This "riotous, rebellious and tumultuous" affair was soon brought to the notice of the men of Providence, and a town meeting was convened<sup>3</sup> June 17, 1672. The only matter disposed of was the following unique but determined order: "The town haveing this dai Recueed lettrs Concer the Jntnones of Canitticot men haue with a free vott agreed to withstand and maintain what: thay Can against Canitticot men"; without further ado the meeting adjourned. With all its quaintness of expression and illiteracy of composition it shows the temper of the people with respect to this overt act of the sister Colony. Hardly had

<sup>1</sup>Early Records of Providence, vol. 8, p. 152.

<sup>2</sup>Ibid., vol. ii, p. 81.

<sup>3</sup>Providence Records, vol. iii, p. 224.

they had time to consider the situation which confronted them by this attitude of Connecticut, when a special order from the king was received, proclaiming "War against the Dutch," and urging the Colony to put itself in a "posture of defence," and "especially to take care for powder shott and ammunition."

In this year Arthur Fenner, sometimes called the Captain of Providence, received a commission from the Colony as Captain of the Train Band. This old document is now preserved with the great seal of the Colony of bright red wax still adhering to it, and is in the following words:

"You, Arthur Fenner, Beinge Chosen to the office of Captain of the Train Band of the Towne of Providence and Solemnly Engaged thereunto, Are hereby in his Majties Name Impoured and alsoe Required to doe all such things, as by the Acts and Orders of the General Assembly or of the Towne Councill of the Towne aforesaid Relatinge to Traininge or Watchinge have been annexed unto your said office, as also in Case of any suddaine Assault of approach of a Common Enemy to Infest or disturb this his Majties plantacone By Direction from the Governor, and Councill, if it may be had, or if through the Suddainness of the Assault, it cannot be had Then at your discession you are to Alarme and gether together the said Train Band. and to the utmost of your skill and ability you are with them (in the name of the Lord of Hosts by all lawful meanes as is Exprest in our Charter) to resist expulse, expell &c. The same in order to preserve the Intrest of his Majtie and of his good subjects in these parts. You are alsoe to follow such ffurther Directions and instructions as shall from time to time be given forth, either from the General Assembly, the Governor and councill, or the Councill of the Respective Towne to which you belong. And for so doeing this Commission shall be your Warrant and discharge Given Under the Sealle of the Colony in the yeare 1672.

"By order of the Generall Assembly of his Majties Collony of Rhod Island and providence plantacons &c.

"John Sanford Recorder".

Only a few years later, in 1675, occurred King Philip's war, brought about by the United Colonies, of which the Rhode Island Colony was not a part, but it brought to these plantations all of the horrors of Indian warfare. Its towns were depopulated, the homes of many of the settlers were reduced to ashes, and most of their personal belongings scattered and destroyed.

It was the middle of July, 1675, that Capt. Benjamin Church, the famous Indian fighter, had followed Philip to Pocasset. Here the Indians had intrenched themselves in a swamp, and the English troops, thinking they might "starve the beast in his den", watched for some days. They knew the sacrifice that must follow if they pene-

trated the swamps and underbrush, and confident of soon bringing the Indians to terms by starvation, they dismissed a portion of the troops. But the wily Philip and his band, "taking the advantage of a low tide in the middle of the night, wafted themselves over on small rafts of timber, into the woods that led into the Nipmuc country", while the English forces were encamped and thus escaped. The escape, of the Indians was at once discovered and the force then engaged in watching the swamp closely followed. It was a small force, for many of the soldiers had returned to Boston, while some had been dispatched to Mendon where the restless Nipmucks threatened an attack. In order to unite with the Nipmucks, whose territory Philip was seeking to reach, it was necessary to ford the Blackstone River and then cross the outlying territory of the town of Providence over the Nipmuck trail towards Quabaug.<sup>1</sup> The nearest wading place or ford for them to cross was at Martin's Wade, a short distance south of the present village of Ashton, near which was the home of John Wilkinson. There were other wading places, but they were too far distant to be available in the hurried march which Philip had undertaken, one being near the Providence settlement, while the other was far up the river at Woonsocket.

The little band of troopers and foot soldiers kept on, determined that the Indians should not escape them. About sunset on the 31st of July, they overtook a company of Providence men, doubtless alarmed at the news of a large body of Indians crossing their borders, who united with them. On they went through the country, alarming the settlers along their path and gaining reinforcements as they proceeded. It was long before daylight when they reached the home of Eleazer Whipple.<sup>2</sup> Here he joined the forces in pursuit, accompanied by his neighbors, Valentine Whitman, John Wilkinson, John Ballou, John Man and several Providence men.

A council of war was then held and scouts sent out to see if any tidings of the savages could be learned. Before daylight these scouts came in and reported that they had heard the Indians while at work cutting wood. The troopers then hitched their horses on an open plain, and the company proceeded about "3 miles to an Indian field belonging to Philip's men, called Nipsachick". A foot note to this word in the letter of Captain Thomas, printed in full in the appendix to Drake's King Philip's War, says: "About 20 miles to the northward of the west from Rehoboth"; but in the light of modern investigation this location is vague indeed, for Nipsachick, or Nipsatchuck, was on Rhode Island soil, and from the doorstep of Eleazer Whipple's house you can to-day look right off upon the spot.

<sup>1</sup>Brookfield, Mass.

<sup>2</sup>A house still standing near Lime Rock village; a more particular account will appear in another chapter.

Nipsatchuck lies in the boundary line between North Smithfield and Smithfield and to the north of the swamp which now bears the name of Nipsatchuck swamp. It was a well known locality with the Indians, for here was one of their planting fields. It was also a prominent boundary in the early land titles to this part of the Rhode Island territory.

But what followed is best told in the plain words of Captain Thomas: "At dawning of the day marched forward about 40 rods, making a stand to consult in what form to surprise the enemy, without danger to one another, and in the interim while it was so dark as we could not see a man 50 rods, within 30 rods of us there came up towards us five Indians from Wetamoes camp (we suppose to fetch beans &c from the said field) perceiving nothing of us, at whom we were constrained to fire, slew two of them, the others fled, whereby Weetamos' and Philip's camp were alarmed."

The camp of Weetamo was only about one hundred rods distant, and the firing had awakened the Indians, who were sleeping unconscious of any attack. They fled, hotly pursued by the troops. The camp of Philip also was alarmed, and his men retreated from their camp which was about three-quarters of a mile beyond Weetamo. The fight then became general and continued until nine o'clock in the morning of August 1. In this encounter thirty-two of the Indians were slain and several of the troopers wounded. The Indians then retreated and the pursuit was abandoned.

The Providence company which participated in this fight was commanded by Capt. Andrew Edmonds, an old Indian fighter, to whom was afterwards granted the privilege of operating a ferry, where the Red Bridge now crosses the Seekonk river, by the men whom he said in his petition "fought with me at Nipsatteke", as compensation for his valiant services in the war. The wounded men were taken to Providence, where they arrived about twelve or one o'clock that night, and later were sent to Newport; all of them received grants from the Colony for wounds received "in the late warr with the Indians".<sup>1</sup> It was a memorable night to the families in the Louisquisset Country.<sup>2</sup> The horrors of war were enacted almost within their door yards, although there were none of those fiendish butcheries which characterized the attacks on many of the Massachusetts settlements. From this time the Indian war, or, as it is more generally known, King Philip's War, raged through the summer and winter of 1675. Whole towns were wiped out by fire and the inhabitants either massacred or carried away

<sup>1</sup>It is believed that the first recorded evidence of the granting of a pension was for wounds received in this encounter, and Eleazer Whipple was the pensioner.

<sup>2</sup>The Indian name for the country thereabouts.

into captivity. This appalling news had been promptly circulated throughout the Colonies.

At the Providence town meeting, on October 14, 1675, it was ordered that six men should be sent out of the town every day "to discover what Indians shall come to disquite the town". Every housekeeper and every man residing in the town was required to take his turn in this means of public safety, and a penalty of five shillings a day was prescribed for non-compliance with this order.

When the news of the horrible acts of the Indians reached Providence, Roger Williams sent a communication to the town meeting respecting the public safety; in it he says:

"I pray ye Towne in ye sence of ye Late bloodie practices of ye natives to giue leaue to so many can agree with Wm field to bestow some charge vpon fortifying his house for a security to Women & children. Allso to giue me leaue & so many as shall agree to put up some Defence on ye hill between the Mill & ye Highway for ye like Safetie of ye women & children in that part of the town".<sup>1</sup>

The house of William Field, which was to be fortified, was located towards the southerly end of the Town street and about where to-day stands the granite building of the Providence Institution for Savings. During the period when the town was nearly deserted the few townsmen who remained assembled in front of this house, under a tree by the waterside, and transacted the business of the town.

The hill between the "Mill & ye Highway" was called the "Stompers", the reason for which is uncertain. Here, more than twenty years before, liberty was "giuen to so many as please to erect a fortification upon the Stompers hill".

Between these two points, about where Waterman street enters North Main street, was the substantial house of Nathaniel Waterman. For two months after the attack on the town this house of Waterman was selected for the "Royal garrison", and the "King's collors" were here displayed with due formality.

That the inhabitants were fully sensible of the dangers which threatened, is shown by these acts of precaution, as well as by a letter which the town received from Governor Clarke, sent in reply to one asking for aid. There is no record found among the city's archives which shows positively what this request was, but the nature of the reply leaves little doubt as to its nature.

This letter is addressed to "Captain Arthur Fenner with the rest concerned", and is dated "28 day 12 mo 1675". It says: "We are not of ability to keep soldiers under pay having not provisions as bread neither are you. Therefore what you can secure by your own people is best and what you cannot secure is best to be transported

<sup>1</sup>Providence Town Papers, 01184.



hither for security, for we have no hopes but sorrows will increase and time will wear you out and if men lie upon you their charge will be more than your profit twice told."<sup>1</sup>

This letter shows either one of two things: First, that the Colony was in no condition to undertake the burden that would be thus imposed, or, second, that the Quaker influences of the authorities had governed them in the management of the affairs of the Colony, for it must be remembered that the public offices of the Plantations were largely held by those who belonged to the Society of Friends.

This letter was followed soon after by another, which emanated from the General Assembly, specially convened for the purpose of considering measures of safety, advising the same course that had been recommended by the governor.

The authorities seem to have resigned themselves to the fact that the Colony was too poor to undertake to protect its scattered settlements, and advised both the people of Providence and those of Warwick to take up their abode at Newport.

Notwithstanding the attractiveness of Newport as a place of resort, it is significant that the leading officers of the Colony were residents of the Island, and had thus provided a strong body to protect its shores from any hostile demonstrations of the enemy.

This offer was accepted by a great number of the inhabitants of Providence; probably all of the women and children and a good portion of the males took up their residence on the island, some of them temporarily, while others adopted the place as their permanent home.

On the 15th of December, 1675, the garrison house of Jireh Bull, on the Pequot trail on the ridge of Tower Hill, in what is now South Kingstown, was attacked and fifteen persons killed, the house was destroyed and only two of the inmates succeeded in escaping.

"Tradition places the location of this house on the right hand side traveling north, a little distance south of the present corner made by the descent of the road running to the west". The garrison is said to have been built of stone and easily defended by a small number of persons, and its destruction with the slaughter of most of its occupants is thought to have been due to surprise or treachery.

It is stated by Arnold that "this was the first overt act of war within the limits of Rhode Island", and Miss Caroline Hazard, in "Narragansett Friends Meeting", says it was the destruction of this house which was the actual incitement to the Great Swamp Fight, which practically exterminated the Indians and put an end to King Philip's war. It undoubtedly had its influence in precipitating the fight in the Narragansett swamp, but it has already been shown that

<sup>1</sup>Annals of Providence, p. 162.

the fight at Nipsatchuck, on Rhode Island soil, and participated in by men of Providence, and preceded it by six months.

In the same month occurred within the borders of the Colony, in what is now South Kingstown, the Swamp Fight, which resulted practically in the annihilation of the once powerful tribe of Narragansetts.

It was on the 2d of November, 1675, that the United Colonies declared war against the Narragansetts and steps were at once taken to carry the war into the heart of the Indian country at Narragansett. Here, in a swamp called the Great Swamp, within the borders of what is now the town of South Kingstown, the Indians had taken up winter quarters. An army of one thousand men was at once organized, composed of veteran Indian fighters. Gen. Josiah Winslow, governor of the Plymouth Colony, was appointed commander-in-chief. Major Samuel Appleton was placed in command of the Massachusetts regiment, Major William Bradford commanded the Plymouth Colony regiment, and Major Robert Treat commanded the force from Connecticut.<sup>1</sup>

On Saturday, December 11, the forces from the Massachusetts Colony and a portion of the Plymouth regiment formed a junction at Providence. Here they were joined by some of the Providence men, Andrew Harris, William Whipple and Valentine Whitman; these men doubtless acted as guides or interpreters for the troopers of Captain Moseley's company, belonging to the Massachusetts forces.

There is yet preserved a little scrap of paper<sup>2</sup> on which appears a memorandum of the expenses paid by the town on account of supplying the soldiers with food, and shoeing their horses. It is as follows:

“Shoeing a horse of and harris..... 1-4  
by shoeing a horse for will whipple..... 1-4  
by shoeing a hoss Val Whitman..... 1-4  
by shoeing 3 horses for Capt. Mosly..... 4-4  
by sheep that Capt. Mosley and the soldiers had by the  
magistrates order”.

On the evening of the next day (Sunday, December 12) the troops marched from the Carpenter Garrison at Pawtuxet, crossed the Pawtuxet river into Warwick, on their way to the rendezvous at Richard

<sup>1</sup>For a detailed account of the Swamp Fight, with lists of wounded and reports of officers engaged, see New England Historical and Genealogical Register for January, 1886, where the campaign is treated in detail by Rev. George M. Bodge.

Of the troops of Massachusetts the quota was 527; the number actually impressed was 540, including troopers 75. The returns made at Dedham Plain, where Gen. Winslow assumed command on December 9, give 465 foot, troopers 73.

The Connecticut quota was 315 and there was also a company of Indians, 150. Plymouth's quota was 158.

<sup>2</sup>Providence Town Papers.

Smith's block-house and trading post near Wickford. Through the ignorance of guides who had been obtained in Warwick, the troops lost their way and spent much valuable time in finding the trail, being obliged to be on the march all night and not reaching the Smith Garrison until early morning of the 13th.

Here they found Capt. Moseley's company, which had preceded them by water, in one of Richard Smith's vessels sailing from Seekonk. On the 17th news came that the force from Connecticut had reached Pettisquamscott.

The time between the 13th and the 19th of December was spent in conflict with small parties of Indians about the neighborhood; many of the Indians were killed, others taken prisoners and their wigwams destroyed. On Sunday, the 19th, at five o'clock in the morning, the



UPDYKE HOUSE, NEAR WICKFORD.

Erected on the site of the Richard Smith Block-house, and said to contain some of the timbers of the original house. The troops that participated in the Swamp Fight made this house their headquarters and here they brought their dead and wounded.

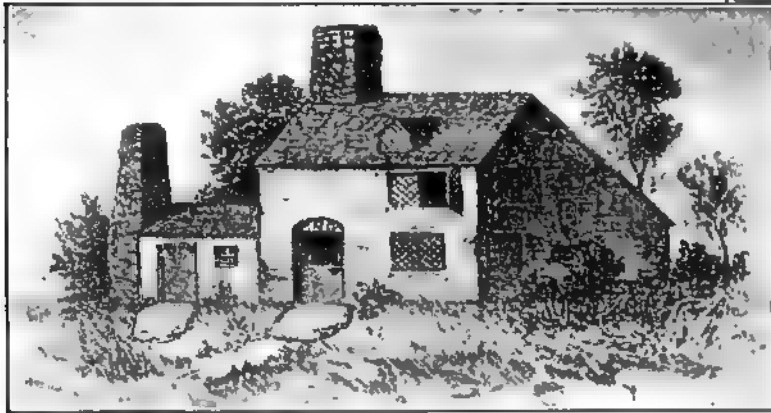
whole force marched towards the Indian stronghold at the swamp. It is about sixteen miles from the Smith Garrison to the Great Swamp, and it was not until one o'clock that the army came upon the savages who were met at the edge of this swamp, in the midst of which they had built a fort upon an island of some five or six acres. Hubbard says: "The fort was raised upon a kind of island of five or six acres of rising land in the midst of a swamp; the sides of it were made of Palisades set upright, which was compassed about with a Hedge of almost a rod Through". At the corners and exposed portions rude block-houses and flankers had been built, from which a raking fire could be poured upon any attacking force. A contemporary writer

states that there was a clay wall within the stockade, but at the time of the attack the wall was not quite finished. A renegade white man, Joshua Tift, an Englishman, is said to have planned this work. The day was extremely cold, the waters of the swamp were frozen, and the island was easily accessible over the firm ice surrounding it. The troops under the command of Capts. Moseley and Davenport were in the lead, and came first upon the Indians and opened fire. This the savages immediately returned with an ineffectual volley, and fled to their stronghold on the island, closely followed by the attacking companies. The troops approached the swamp along the rising land in front of the house formerly occupied by Hon. Henry Marchant, situated about three-quarters of a mile west of the West Kingstown railroad station.

The passage into the fort, left by the Indians for their own use, was by a long tree over the water, across which but one person might pass at a time; had the troops attempted to force an entrance to the fort at this point the loss would have been far greater than it was. So closely had the troops followed up the retreating Indians that they were led straight to this entrance, but fortunately, before going too far, they discovered the trap and at the same time discovered the only assailable part of the fort a little farther on. "This was at a corner of the fort, where was a large unfinished gap, where neither palisados nor the abbatis or (hedge) had been placed, but only a long tree had been laid across, about five feet from the ground, to fill the gap, and might be easily passed; only that the block-house, right opposite this gap, and the flankers at the sides were finished, from which a galling fire might sweep and enfilade the passage".

The Massachusetts companies of Capts. Davenport (5th Company) and Johnson (4th Company) came first to this spot and at once charged through the gap and over the log. Here Johnson fell dead; and Davenport fell a few moments later "a little within the fort. Their men were met by so fierce a fire that they were forced to retire and fall upon their faces to avoid the fury of the musketry till it should somewhat abate. Moseley and Gardiner, pressing to their assistance, met a similar reception, losing heavily, till they, too, fell back with the others, until Major Appleton, coming up with his own and Capt. Oliver's men, massed his entire force as a storming column, and it is said that the shout of one of the commanders that the Indians were running, so inspired the soldiers that they made an impetuous assault, carried the entrance amain, beat the enemy from one of his flankers at the left, which afforded them a temporary shelter from the Indians still holding the block-house opposite the entrance. In the meantime, the General, holding the Plymouth forces in reserve, pushed forward the Connecticut troops, who, not being aware of the extent of the danger from the block-house, suffered fearfully at their entrance, but charged

forward gallantly, though some of their brave officers and many of their comrades lay dead behind them, and unknown numbers and dangers before. The forces now joining, beat the enemy step by step, and with fierce fighting, out of their block-houses and various fortifications. Many of the Indians, driven from their works, fled outside, some doubtless to the wigwams inside, of which there were said to be upward of five hundred, many of them large and rendered bullet-proof by large quantities of grain in tubs and bags, placed along the sides. In these many of their old people and their women and children had gathered for safety, and behind and within these as defenses the Indians still kept up a skulking fight, picking off our men. After three hours of hard fighting, with many of the officers and men wounded or dead, a treacherous enemy of unknown numbers and resources lurking in the surrounding forests, and the night coming on, word comes



GREENE'S STONE CASTLE.

Formerly standing on the north side of the road from Old Warwick to Apponaug. The residence of Thomas Greene and his descendants from 1660 to 1795. This house was the only one in the town of Warwick that survived King Philip's war. It was demolished in 1795.

From a drawing made by Mrs. John Wickes Greene.

to fire the wigwams, and the battle becomes a fearful holocaust, great numbers of those who had taken refuge therein being burned."

The fight raged for nearly three hours with dreadful carnage in proportion to the numbers engaged. It is not certain at just what point the Plymouth forces were pushed forward, but most likely after the works were carried, and the foremost, exhausted, retired for a time bearing their dead and wounded to the rear. It is doubtful if the cavalry crossed the swamp, but were rather held in reserve and as scouts to cover the rear and prevent surprises from any outside parties.

Leaving the burning fortress the troops set out on their return to

the Smith garrison, taking with them two hundred wounded and ten dead. The night was bitter cold, and a blinding snow storm set in; and, encumbered with this great number of wounded and dead, the march back was slow and terrible, and it was two o'clock the next morning before the main column arrived at its destination. A portion of the troops lost their way and did not arrive until seven o'clock.

Forty men, who were killed in battle or died from wounds and the rigors of the march, were buried in one grave on the land adjoining the garrison. This grave was marked for many years by a large apple tree which was uprooted by the gale of 1815, but the spot may be identified to-day from the nature of the grass over it and on which cattle will not feed.

Notwithstanding the terrible slaughter and defeat which the Narragansetts had sustained, they soon rallied and in small bodies

proceeded to wreak vengeance on the scattered settlements. On the 16th of March an attack was made upon the Warwick settlement, and every house was burned to the ground with the exception of one. This was a house built entirely of stone and called Greene's Castle: this house survived for many years thereafter and was finally demolished by its owner about 1795. In this attack the only person killed was John Wickes, and his body was left horribly mutilated.<sup>1</sup>



MONUMENT AT THE SCENE OF PIERCE'S FIGHT.

On Sunday, March 26, 1676, a few days before the attack on Providence, there was fought in what is now the town of Cumberland one of the most disastrous battles of the war. The locality where the final stand in this engagement with the Indians took place has long been designated as "Nine Men's Misery". It is about a mile and a quarter northeast from the village of Ashton, near the Union Chapel, between Diamond Hill Road and the road running west from Union Chapel. A rough monument of common field stones marks the spot. The name,

<sup>1</sup>In Fuller's "History of Warwick" will be found a more detailed account of the death of Wickes.



Nine Men's Misery, is derived from the fact that it was at this spot that the final stand was made by nine men, the remnants of Capt. Michael Pierce's company, in his desperate encounter with the Indians in King Philip's war, and here they all died from the hands of the savages. Some years ago some of the bones of the slain were disinterred and examined and again buried.

The government of Plymouth, fearing that their settlements would be again attacked, after so many outrages had been committed in Massachusetts, ordered out a company for their defense, consisting of sixty-three Englishmen and twenty Cape Indians, under the command of Captain Michael Pierce, of Scituate, Mass., who immediately set out in pursuit of the enemy, who were supposed to be in the vicinity. He rendezvoused at a garrison in Rehoboth on Saturday night, and the next day, "having intelligence in his Garrison at Seaconicke that a party of the enemy lay near Mr. Blackstone's,<sup>1</sup> he went forth with 63 English and 20 Cape Indians," and soon discovered four or five Indians in a piece of woods, who pretended to be lame and wounded; this proved to be a stratagem to lure the settlers into an ambush, for they soon discovered a large body of the enemy, commanded by Canonchet, a Narragansett chief.

Captain Pierce, though aware of their superiority of numbers, courageously pursued them, when they began to retreat; and before he was aware of it he found that he was completely surrounded by a large body of Indians, estimated at more than four hundred, a portion of the enemy being stationed on the opposite side of the river to prevent the English crossing.<sup>2</sup> They were thus attacked in front and rear by an overwhelming force, with no chance of retreat and all hope of escape cut off.

At this critical juncture Captain Pierce formed his men into a circle, back to back, four paces apart, thus enlarging the circle to its greatest extent and presenting a front to the enemy in every direction, and necessarily scattering their fire over a greater surface; whilst the Indians stood in a deep circle, one behind another, forming a compact mass and presenting a front where every shot must take effect, or, as stated by a contemporary annalist, "Capt. Pierce cast his men into a ring, and fought back to back, and were double-double distance all in one ring, whilst the Indians were as thick as they could stand thirty deep". He thus made a brave resistance for two hours, all the while keeping the enemy at a distance and his own men in perfect order, and kept up a constant and destructive fire upon the Indians. At last,

<sup>1</sup>Blackstone's house was located at the spot where the monument stands in the mill yard at Lonsdale, R. I.

<sup>2</sup>An exhaustive account of this fight may be found in a paper read before the Rhode Island Historical Society, Oct. 1, 1889, by James O. Whitney, M. D., of Pawtucket, R. I.

overpowered by numbers, Captain Pierce and fifty-five English and ten Cape Indians were slain on the spot.

Hubbard states that when Captain Pierce found what danger he was in, he sent a messenger to Providence for assistance; but the message not being promptly delivered, no relief to the besieged company was furnished. Another tradition says a message was sent by Pierce, before he left the garrison at Seekonk, by a man who "attended meeting" in Providence. This messenger, however, did not arrive at Providence until after the service had begun; he waited until the service was over before he delivered his letter to the captain to whom it was addressed, and so Captain Pierce and his handful of men had to fight their desperate and bloody fight alone. The captain, it is said, fell "earlier than many others", and Amos, "one of his friendly Indians", bravely and honorably stood by his commander's side and fought "until affairs had become utterly desperate", and then made his escape "by blackening his face with powder", in imitation of the enemy.

Bliss, in his history of Rehoboth, recounts the escape by strategy of several of these Indians.

There is preserved in the library of the American Antiquarian Society at Worcester a letter, written the day after the battle. It gives the names of the men who were slain in this fight; it was written by the Rev. Noah Newman, a minister of Rehoboth, to the Rev. John Cotton, of Plymouth. It is as follows:

"Rehoboth, 27 of the first, '76.

"Reverend and dear Sir,

"I received yours dated the 20th of this instant wherein you gave me a doleful relation of what had happened with you, and what a distressing Sabbath you had passed. I have now, according to the words of your own letter, an opportunity to retaliate your account with a relation of what yesterday happened to the great saddening of our hearts, filling us with an awful expectation of what further evils it may be antecedaneous to, both respecting ourselves and you. Upon the 25th of this instant, Capt. Pierce went forth with a small party of his men and Indians with him, and upon discovering the enemy fought him, without damage to himself, and judged that he had considerably damnified them. Yet he, being of no great force, chose rather to retreat and go out the next morning with a recruit of men. And accordingly he did, taking pilots from us, that were acquainted with the ground. But it pleased the Sovereign God so to order it, that they were enclosed with a great multitude of the enemy, which hath slain fifty-two of our Englishmen, and eleven Indians. The account of their names is as follows:

"From Scituate, eighteen, of whom fifteen were slain, viz.: Capt. Pierce, Samuel Russell, Benjamin Chittenden, John Lothrop, Gershom Dodson, Samuel Pratt, Thomas Savary, Joseph Wade, William Wilcome, Jeremiah Barstow, John Ensign, Joseph Cowen, Joseph Perry,

John Rowse [Rose]. Marshfield, nine slain, Thomas Little, John Eams, Joseph White, John Burrows, Joseph Phillips, Samuel Bump, John Low, More ———, John Brawer. Duxbury, four slain, John Sprague, Benjamin Soal, Thomas Hunt, Joshua Fobes. Sandwich, five slain, Benjamin Nye, Daniel Bessey, Caleb Blake, Job Gibbs, Stephen Wing. Barnstable, six slain, Lieut. Fuller, John Lewis, Eleazer C——— [probably Clapp], Samuel Linnet, Samuel Childs, Samuel Bereman. Yarmouth, five slain, John Matthews, John Gage, William Gage, Henry Gage, Henry Gold. Eastham, four slain, Joseph Nesselfield, John Walker, John M——— [torn off], John Fitz, Jr. [Fitch], John Miller, Jr. Thomas Man is just returned with a sore wound.

“Thus, sir, you have a sad account of the continuance of God’s displeasure against us: yet still I desire steadfastly to look unto him, who is not only able but willing to save all such as are fit for his salvation. It is a day of the wicked’s tryumph, but the same word of God tells us his tryumphing is brief. O that we may not lengthen it out by our sins. The Lord help us to joyne issue in our prayers, instantly and earnestly, for the healing and helping of our Land. Our Extremity is God’s opportunity.

“Thus with our dearest respects to you and Mrs. Cotton, and such sorrowful friends as are with you, I remain

“Your ever assured friend,

“Noah Newman.”

There is no evidence that any men from Rhode Island participated in this fight.

It would seem that by the middle of March, Providence was nearly deserted, its population being reduced from nearly five hundred<sup>1</sup> to considerably less than fifty.<sup>2</sup> Such of the inhabitants as took up their residence on the island could hardly have reached there when the attack and burning took place. Authorities differ as to the date even of this occurrence. By some it is stated as taking place on March 29, while others give the date as March 30. Historians differ, too, as to the extent of the calamity. Cotton Mather, in the *Magnalia Christi Americana*, gives the date as the 29th, and the number of houses destroyed as thirty.

Perhaps the statement that a good portion of the houses and out-buildings in the northerly portion of the compact part of the town and nearly all the houses in the outlying country were burned, is as nearly correct as it is possible to fix it. Callender in his historical address, which was delivered probably in the lifetime of many who witnessed the event, says, “Our settlements on the main suffered very much, both at Pettaquamscut and at Warwick, and at Providence: where the Indians burnt all the ungarrisoned and deserted houses”,<sup>3</sup>

<sup>1</sup>Providence Town Papers.

<sup>2</sup>Early Records of Providence.

<sup>3</sup>Collections R. I. Hist. Society, Callender’s Discourse, vol. iv, p. 134.

conveying the idea that the only property destroyed was that which was unprotected.

Just what damage was sustained cannot be definitely stated; tradition says that the town mill was destroyed and the homes of those who had fled to Newport, or to the garrisoned houses, burned to the ground, for, as Mather says, "the English retreating into garrison could not but leave their homes open to the impressions of the adversary".

Even with the loss which the town did sustain it had good reason for thanksgiving. Roger Williams, in a letter to the town, expresses congratulations and prayers to "ye most High for your merciful preservation in & through these late bloody & burning tymes",<sup>1</sup> for it does not appear that any life was lost during this attack, but it is recorded that "Thomas Roberts, for fear of dangers by ye Indians, transported himself to the Island and there died".<sup>2</sup> He it was who was brought wounded and bleeding into the town during the Pequot war, and was nursed back to health by the wife of Roger Williams. He had gone through one Indian war, and the recollections of it produced no desire to take any part in another.

The individual losses of the people were great, their houses, stock and personal belongings were entirely destroyed and the accumulations of years taken from them. The townspeople struggled for many years in recovering from their loss, and the Colony, out of consideration for the impoverished condition of Providence, made due allowance in the Colony rate.

It was not until after Providence had sustained its loss that the Colony officers paid any attention to the requests and demands for aid, and then only when Capt. Arthur Fenner, who, smarting under the loss which the town had suffered by reason of this lack of interest, besides having lost his own home, repaired to Newport and laid the condition of affairs before the Colony officers.

At the session of the General Assembly, held at Newport the 3d of May, 1676, a committee, consisting of Mr. John Easton, assistant, and "Mr. George Lawton, one of the Deputys", was appointed to proceed to Providence and ascertain the wants of the town as to the establishment of a garrison; this was in response to a petition from the town which had been presented to that body, and was nearly three months after the attack and burning.

This committee evidently attended to their duty promptly, for at the adjourned meeting, June 14, the following vote was passed. It is represented here in full, to show the change of mind that had come over the authorities since the first representation had been made, and since the town had felt the full effect of the "impressions of the adversary": "Voted, upon the presentation of several of the in-

<sup>1</sup>Providence Town Papers.

<sup>2</sup>Ibid.

habitants of the towne of Providence to this present Assembly for settlings of garrisons in the said towne, the Assembly well resentinge the matter, and upon searious consideration and debate, doe order and declare (for the maintaininge the Kings interest in this his Collony of Rhode Island and Providence plantations, and according to the trust reposed in us by his majesty in his gracious Charter granted,) that one garrison shall be settled in said town of Providence consisting of seven men with a Commander, which shall make up eight; the said seven shall have allowed them six shillings a man, money pay, and the Commander twelve shillings per weeke in the same specie; all which charge shall be paid (by) said Collony and the house which the Commissioners (thereafter mentioned) shall appoint to be the garrison house, the owner of that house shall finde two men (to make the aforesaid number tenn) and to maintain them at his owne cost and charge. But in case the garrison house should be destroyed or burnt by the enemy (notwithstanding their care and dilligence to prevent) they to wit the two men put in by their owner of the house have the same satisfaction as the aforesaid seven are allowed, that is to say, six shillings per man a weeke to be payed by the abovesaid Collony.

“The Commissioners appointed are Mr. Roger Williams, Captain Arthur Fenner, William Harris, and Mr. George Lawton or the major part of them whoe with all convenient speed, desired and required to repair to the said Providence and there take spciall view of all the garrisons in said Providence and that garrison they judge most convenient they are to declare it to be the King’s garrison, and to set up and use at the charge of said Collony the King’s collors there and what else garrison or garrisons shall be set up by any belonginge to the said Towne, it or they shall be at their owne proper cost and charge, and shall be observant and subject to the said King’s Garrison. And for the better management of the premises this assembly doe ordaine and constitute Captaine Arthur Fenner to be the present Captain who shall have a Commission for that purpose and if said Captaine hath at any time a desire to remove from said garrison (or at his pleasure or discretion) he hath hereby full power given to nominate and appoint another Captain or Leiftenant in his roome out of the garrison aforesaid which said Captain or Leiftenant soe nominated and appointed, having the said commission assigned to him or a cobby by said first Captaine it shall be as authentick and of as full force and power for him to act in the premises as if it were originally granted to him by the Assembly further the Assembly doe order that one great gun belonginge to the owners of the ship Newport shall by a warrant from the Governor pressed and ordered to be sent to Providence to be placed in the said King’s garrison with fifty pounds of powder and a hundred weight of

lead which said powder and lead are not to be embezzled but Kept for a reserve against a time of need to repulse the enemy.

“Voted, the Governor, Deputy Governor, and Recorder are appointed and empowered by this Assembly to draw up a commission for said Captn Fenner and to be signed by the Governor with the seale of the Collony annexed.”

Surely grave consideration had been given the matter now, but it was not until Providence had suffered its loss that the governor and his council fully realized that there was a trust reposed in them by “his Majesty in his gracious Charter granted”, although this very charter had in no way been altered or amended during the time that had intervened.

Without delay commissioners were appointed, of which Captain Fenner was one, to proceed at once to Providence and establish a garrison, and a commission was forthwith issued to Fenner, giving him the command of the Train Band and the garrison to be thus established.

What these commissioners accomplished is best told in Captain Fenner’s own words:

“The twentie day the bote set forth from Newport.

“Apon the oune and 20 day of June oune thousand six Hondred Seventie and six the Commissioners Mr. Roger William, Mr. William Harris, Mr. George Laotton and Arthur ffenner Arrive at providence With a commission to setill the Kings garrison in Providence Towne and apon the 23 of the Same month did settel at nathaniell Watermans House the Kings garrison With proclamation yt it is so to be: by the Kings Authoritie And the men weare Listed which are as folloeth—John Morey Thomas fenner Henry Asten William Lancaster Samuel Winsor.

“Upon munday the 3 day of July 1676 Arthur ffenner Junr and Thomas Wallen were Listed in the Kings gareson at Providence”.<sup>1</sup>

~ That the garrison might be equipped with munitions of war against another attack, they confiscated such powder and lead as was in the hands of certain townsmen for the use of the troops.

This garrison was continued until October, 1676, when the whole force was discharged by order of the Assembly, no further depredations of the Indians against the town having occurred.

There are preserved many old papers which relate to this episode in the state’s history, among which are Captain Fenner’s accounts of powder and lead and of wages paid; all showing the careful and systematic methods of the old captain.

There are also some of the bills rendered against the Colony for service in the King’s garrison, one of which is as follows:

<sup>1</sup>Capt. Arthur Fenner’s memorandum among Fenner Papers in Providence Town Papers.



“Due unto Arthur fenner Junnear for seventeene Weeks Services in the Kings Gareson at Providence at six shillings per week five pounds and two shillings money pay

“Arthur ffenner Captan

“Providence the 16 Aparill 1677 John Coggeshall Treasurer.

“Be pleased to pay unto Arthur ffenner junr five pounds & two shillings money pay for service in ye Kings Garrison as above exprest this 18th of 2d mo called April 1677.”

On “the last day of August” William Lancaster was paid “his wagges for his servis” and dismissed; in April following John Morey was paid £5-2 for seventeen weeks service at six shillings a week, and he, too, was dismissed; before October doubtless all of the soldiers were dismissed from service, for in that month the General Assembly formally relieved Arthur Fenner as captain of the King’s garrison.

The royal garrison at Nathaniel Waterman’s house no doubt inspired confidence among the people, but it was established too late to be of service at a time when it was most needed.

The town records of Rehoboth have entered upon their faded and yellow pages this entry, “Robert Beers slain ye 28 march 1676.”

This was the day before the town of Providence was subjected to the outrages of the Indians and the day on which Rehoboth was attacked. It is stated that “Beers was an Irishman and a brickmaker by trade, he was very religious but eccentric and superstitious; upon the approach of the Indians he refused to go into the garrison house, but set down in his own house with his Bible in hand believing that while thus engaged no harm could come to him”.<sup>1</sup>

His Christian piety, however, availed him nothing, for he was shot at through a window and died with his Bible in his hands. This story is interesting when compared with another, published in a volume entitled “A new and Further Narrative of the State of New England, being a continued account of the Bloody Indian War from March to August, 1676, printed in London”, wherein it says: “On Wednesday they stormed Providence and consumed the greater part of the houses, but without taking away the life of any person except one Wright, of whom it is reported that he was a man of singular and sordid humor; of great knowledge of the Scriptures, but of no profession, sect or persuasion; one that derided Watches, Fortifications, and all public endeavors and administrations for the common safety, insomuch that after all alarms round about he refused to bring in any of his goods (which were of Considerable value) or to shelter himself in any garrison, but presumed he should be safe in his own house where the enemy found and butchered him. It is further credibly related concerning him that he had a strange confidence, or rather conceit, that whilst he held his Bible in his hand he looked upon himself as secure

<sup>1</sup>Stone’s Burning of Providence in Prov. Daily Journal, April 10, 1876.

from all kinds of violence, and that the enemy, finding him in that posture, deriding his groundless apprehension or folly therein, ript him open and put his Bible in his belly."

The similarity of these two stories makes it extremely doubtful if two such events occurred. In the latter story it is stated that "On Wednesday they stormed Providence"; this serves to more definitely fix, the date of the burning, for the 29th day of March, 1676, was Wednesday.

When the letter from Newport was received, advising the people to flee from the Island for safety, some of the townspeople were disinclined to abandon their homes, neither did they wish to retreat to any of the garrison houses in the compact part of the town, clinging to their homes and firesides notwithstanding the threatened dangers.

One of these was William Arnold, an old man of ninety years of age, who lived at Pawtuxet, some distance from the Providence settlement; this fact being brought to the attention of his friends and neighbors at Providence, they dispatched a messenger, William Hopkins by name, to apprise him of his danger and urge him to seek some safe retreat.

Two years after the war Hopkins told his story "about going to persuade him"; in a deposition made before John Whipple, assistant. This old document<sup>1</sup> is yet extant and is as follows:

"William Hopkins Aged Thirtyone Yeares or thereabouts: and engaged according to law Tesstifieth as ffolloweth, That at the beginning of the warr they heard at Prouidence that William Arnold of pawtuxett, would not leaue his owne house, then Some Neighbors desired this deponant to goe to pautuxett and perswade him to goe to some garrison for safety, or goe downe to Roade-Jsland, then this deponant sayd he would goe and did not question but to perswade him and soe this deponant went to Pautuxett to the house of William Arnold, and told the said William Arnold of the danger of the times, and did perswade him to goe to some garrison or downe to Roade-Jsland to his Sonns Benedicts but he was very unwilling to leave his owne house, and sayd he would not goe downe to Roade-Jsland, but if he must leaue his owne house he would go to prouidence, yett after he sayd prouidence was soe farr off he had rather be nearer home; then this deponant Asked him if he would goe to his sonns: Stephens Garrison, and the sayd William Arnold sayd he did not care if he did goe theither, and soe desired this deponant to goe to his sonn Stephens and call him to Come to him and then he would goe with him to his Garrison, then this deponant went to his sonn Stephen Arnold and called him, and soe presently his sonn Stephen went to his ffather and desired his father to goe to his Garrison, and the sayd William Arnold did goe alonge with his sonn Stephen and this Deponant to his sonn Stephens Garrison and ffurther this deponant sayth not.

<sup>1</sup>Providence Town Papers, 0268.

“Taken upon Engagement this: 16th: day of october: 1678 before  
me John Whipple Assistant.”

A loss which the town sustained by reason of the Indian attack, and one from which it never recovered, was the destruction of a portion of its records.

Such old books of this period as are now preserved, with their torn, faded and smoke stained pages, tell of a disaster from which their escape must have been almost miraculous. Judge Staples, in his *Annals of Providence*,<sup>1</sup> has given a picturesque account of the way in which they were mutilated. He says: “The house of John Smith the miller . . . was on the west side of Moshassuck river, . . . Mr. Smith was, at that time, town clerk, and the records of the town were then in his possession. They were thrown from his burning house into the mill pond to preserve them from the flames, and to the present day they bear plenary evidence of the two fold dangers they escaped, and the two fold injury they suffered”.

This account has been copied from time to time by those who have had occasion to refer to the subject, apparently without investigation and without doubting the accuracy of the statement. So far as any evidence appears there is nothing to warrant this story, but on the contrary there is much to disprove it, for records made within a few years of the occurrence tell a far different story. The records themselves bear silent testimony to severe usage. They have evidently been saturated with water, and one of the books still shows the marks where fire has eaten into its leaves and smoke has stained its pages. It was probably from these facts and the additional one that John Smith, the miller, was at the time clerk of the town, that the whole story was so ingeniously constructed.

If the statement of Williams<sup>2</sup> is true, wherein he gave the names of those “that stayed and went not away”, then John Smith, the miller, was not in the town during the troublesome time, and consequently could not have thrown the books into the mill pond; but as it appears from other records<sup>3</sup> that he received “half a share” in the division of the Indian captives, he probably was in the town or performed some service which entitled him to this.

It would be an idle tale of fancy to detail the story of their mutilation; but there is evidence to show by what means they suffered.

A petition to the town, without date, in the handwriting of John Whipple, contains this preamble: “Whereas by ye Late unhappy warrs by ye Indians or Towne Records have been by ye sd Indians defaced and some of them lost”.<sup>4</sup>

<sup>1</sup>Annals of Providence, p. 166.

<sup>2</sup>Early Records of Providence, vol. viii, p. 12.

<sup>3</sup>Providence Town Papers.

<sup>4</sup>Ibid.

In 1678 Daniel Abbott, who was then the town clerk, petitioned the town meeting for leave to change the records of his land, and he entered upon the Record book<sup>1</sup> the following:

“Voted & ordered, that whereas ye abovesd desired in his bill to have Libbertie To Transferr ye Record of ye returne of his Land (Layd out by Capt Arthur ffenner Surveyor) out of ye old Book (wch is much defaced by ye Indians &c) into ye New Booke for the more security. The Towne seeth cause to grant his request therein, & Soe his Bill is Answered.”

Ten year after the war Benjamin Hernton presented his petition<sup>2</sup> to the town in the following words:

“To ye Towne mett Janr ye: 27 1685: or 6  
 “My Desire is yt you would Allow me my full Right of land and meadow, according to ye rest of ye 25 Acre men yt came in with a full Right of Comoning according to ye order of Jon Brown I conciveing I came soe in: and I judge it was so recorded, or neglected: or Elce it may be Taken away by ye Jndians they haveing ye books praying yor Consideration: hopeing you will not Deny me my request

“Yors to Serve

“Benjamin Hernden.”

From all of this there can be no doubt but what the records fell into the hands of the savages, and while in their possession were defaced, and thus the story of the heroic act of the town clerk rushing into the burning mill to save from destruction the records, entrusted to his care, is robbed of some of its interest.

The remembrances of those past horrors had gradually passed away from the memory of the colonists only to be recalled in story. New homes were springing up in the hills and in the valleys, and new faces entered into the everyday life of the settlers. And so their uneventful life went on until the days of King William's War, when ugly rumors reached their ears, for the Council of War had been hurriedly called together in Providence town, and on April 24, 1697, had commissioned several of the townsmen to lead scouting parties to “search after the Enemies”, because, as the records of the council stated, “there hath Ben a late inCurtion & invation made upon some of our English plantations: by the Cruel and Barbarous Indian Enemies whose tender mercies are Cruel”. They had seen Indian barbarities and had experienced one Indian attack, and in order to protect the settlements as much as possible, the Council of War commissioned Richard Arnold, John Angell, Edward Smith, Samuel Whipple, Thomas Olney, jr., Thos. Fenner, Joseph Stafford, James Brown, James Angell, Thomas Hopkins, Benjamin Carpenter,

<sup>1</sup>Early Records of Providence, vol. viii, p. 39.

<sup>2</sup>Providence Town Papers, 0468.

Joseph Williams, Nathl. Waterman, sr., Nathl. Waterman, jr., John Smith, John Brown, Samuel Comstock, Eleazer Whipple, Thomas Olney, Samuel Wilkinson and Roger Burlingame to take command of ten men each and "rainge beyond the outmost of our plantations". The northern portion of the Colony had by this arrangement a chain of guards or scouting parties completely encircling the settled portion of the plantations, for an examination will shew that these men were located at various points all through the outlying districts. They were directed in plain language what their duty was, and there was no opportunity for misinterpretation of instructions.

The memories of the fight at Nipsatchuck, the Providence attack and all the horrible details of the former war, were again brought vividly before them. There was to be no temporizing, nor any intermediate course, but, in the quaint language of the directions given to them, they were "to search after the Enemies and Vpon Discovery of anie of them you are according to the best of your skill to indeavour to Resist Expulse Kill and Destroy them according to the best of your Indevour but in Cace you judge them to be two strong for you, you are to alarem as manie of your inhabittants as in yor wisdom yu can or may".

But they were not called upon to engage in any hand to hand conflict with the savages, for the war soon after ended, and these old Indian fighters were once more back again upon their farms pursuing "the noiseless tenor of their way".

For several years peace reigned in the Colony and the authorities were not called upon to provide ways and means for hostile movements.

The debt incurred by the former struggles in which the colonists had taken part bore heavily upon them, and the struggling settlements had hardly recovered from the losses which they had sustained when, on the 4th of May, 1702, England declared war against France and Spain. It was not until two months later that this momentous event was proclaimed in Rhode Island.

On the fifth of July Major John Dexter, commanding the military forces on the mainland in Rhode Island, issued the following official notice to the military authorities proclaiming hostilities:

"These may inform you that I have receive of our Gouvernor A proclamation of warr with orders for all our Military officers attendance at the reading of the same I intreat your Company with your Lieuts Ensigns and Cargants tomorrow at ten of the clock in the forenoon, which is all that offers at present from yrs

"July 5 1702

John Dexter Major."

At a council of war, held in Kingstown, March 15, 1703-4, at which

most of the commissioned officers in the militia were present, action was taken for the defense of the Colony.

On account of the "great danger and hazard the out inhabitants of the respective towns in this colony on the main land are exposed to, should they be assaulted by the Barbarious Enemy", for want of suitable garrisons to repair to in time of danger, authority was given to the towns of Providence, Warwick, Westerly, Kingstown and Greenwich to erect such garrison houses as shall be considered necessary for the safety of the inhabitants, the cost of the same to be borne by the Colony. The General Assembly of the Colony afterwards repudiated the act, requiring the towns to provide and support their own garrisoned houses.

It was voted to raise at once forty-eight volunteers to go against the French and Eastern Indians; half of this quota was to be Indians and half English. The Colony agreed to pay them 12*d.* per day in addition to what the Massachusetts Colony might pay for their services during the expedition. Captain Jonathan Turner of Kingstown was appointed to command the body.

Fourteen men were ordered employed in the Colony's service, six of whom, on the Main land, were placed under the command of the major of the Main land, while the six men appointed for the Islands were ordered to be placed at the fort on Goat Island in Newport harbor.

Every military commander was ordered to forthwith furnish to the major for the Main and the Islands<sup>1</sup> a list of the soldiers in their respective commands, and to call the companies together and see that each person was provided with arms and ammunition according to law.

Recruiting stations were established at the houses of the following named persons in the several towns in the Colony: Kingstown, at the house of Capt. John Eldred and Capt. Edward Greenman; Westerly, Capt. William Champlin; Warwick, Capt. James Greene; Providence, Major John Dexter; Newport, Major Nathaniel Coddington; Portsmouth, Capt. Joseph Sheffield; Jamestown, Capt. Edward Carr.

The military authorities were at once actively engaged in putting the Colony's force in good condition to meet any attacks or to respond to such calls for their services as might be made. Scouting parties ranged the woods in the northern part of the Colony to intercept any hostile bands. There is an old order on the town, given by Capt. Thos. Fenner of the Third Company of Providence, which gives the name of some of these:

"To you James Dexter Treasurer for the Town of Providence these to desire you to pay or cause to be payed unto those persons hereafter named to Each of them seven shillings and six pence for service done

<sup>1</sup>The military force of the Colony was divided into two departments, the "Main" and "the Islands," a major in command of each.



by them In the yeare 1703 on the Horse Scout three dayes a peece att two shillings six pence pr day. Samuel Ralph Peter Roberts George Potter Given under my hand this 1st of May 1708

“Thos Fenner Capt.”

From other records of Captain Fenner it appears that “Samuel Ralph, George Potter, Zachariah Field, Thomas Garrard, went out on the Scout upon the 17 of August 1704. Thos. Fenner Jr. and Thomas Garrard went out on the Scout upon the 24 of August, and Henry Randall went to joyne with them on the 27th of August. Richard Knight, the Soon of Jonathan Knight, and Richard Knight, the Soon of Ann Knight, went forth upon the scout the 1st of September, and John Tucker and Thomas Taylor went forth upon the scout on the 5th of September”.

Newport harbor was further protected by a new fort, afterwards called Fort Anne, mounting twelve guns. The proceeds of all forfeitures belonging to the general treasury, especially the gold plate and money taken from condemned pirates, were appropriated for this purpose. This fort was built on Goat Island. During the period of hostilities, which continued for eleven years, the coast line of the Colony was covered by scouts and permanent garrisons established at different points.

It is recorded that there was provided “3 pots of cyder and one gal. of rum” when the soldiers went to Newport on May 31, 1709. In later years this quantity of liquid refreshment would hardly been sufficient for the annual tours made to Newport in May.

By order of Maj. Joseph Jenks, in April, 1709, one soldier was ordered to Block Island, representing the quota to be furnished by the town of Providence, and Hezekiah Herinton volunteered for the service.

During the period of the war Rhode Island provided a body of scouts for home service, a garrison for the forts at Newport, and furnished her quota from time to time as called upon to do so.

In July, 1710, the General Assembly ordered an additional force raised for the intended expedition to Port Royal, to the number of one hundred and forty-five effective men, apportioned as follows among the towns in the Colony:

Newport,	40	whereof	12	Indians
Providence,	31	“	8	“
Portsmouth,	11	“	3	“
Warwick,	10	“	3	“
Westerly,	12	“	4	“
Kingstown,	31	“	8	“
Greenwich,	7	“	3	“
Jamestown,	3	“	2	“



ARMS USED BY RHODE ISLAND SOLDIERS IN THE VARIOUS WARS IN THE FOLLOWING ORDER  
BEGINNING AT THE TOP. THE INDIAN WARS, THE FRENCH WAR, THE REVOLUTION, THE WAR OF 1812, THE CIVIL WAR  
AND THE SPANISH WAR. From the collection of Edward Field.

The next month an additional body of troops, consisting of two hundred men, was raised for the Port Royal expedition; Lieut.-Col. John Cranston and Major George Lee were appointed to the command of the force for Rhode Island. A year later one hundred and sixty-seven soldiers, besides twelve sailors, for the Canada expedition, were ordered enlisted for immediate service. This number was divided among the towns in the Colony as follows: Newport 47, Providence 35, Warwick 10, Kingstown 35, Greenwich 8, Westerly 14, Jamestown 3, Portsmouth 15.

It was not until eleven years had passed that the war came to an end and the burden of supplying men and money ceased. The Peace of Utrecht ended warlike movements and measures, and the next month following the signing of the treaty the General Assembly of the Colony made provision for disposing of the Colony's stores in the commissary's hands. All munitions of war with the exception of powder were sold or otherwise disposed of; the powder, however, was ordered "put into the treasurers' hands to be secure for the colony". Even the great guns belonging to the Colony were laid away to rest, but not to rust, for it was ordered that they be brought to the "Governor's wharf at Newport, there be tarred and laid on logs."

The General Assembly of the Colony held its session on the 26th day of February, 1739-40, at South Kingstown. It was an important session. War had been proclaimed by England against the kingdom of Spain, and in common with the other English colonies in America, Rhode Island had been warned to make suitable and necessary preparations in case of invasion by the enemy. The Colony fort in Newport, then called Fort George, was at once put in order, the gun platform made four feet wider, the powder magazine made tight, the storehouses newly floored, and the barracks put in condition suitable to accommodate the force which was likely to be ordered there. Twelve men under command of Col. John Cranston were provided as a permanent garrison. An additional force of thirty-eight men was enlisted to be called upon in an emergency to reinforce this temporary command. The field officers of the militia in the several counties in the Colony were empowered to enlist or impress ten men in each county to serve on Block Island for a "space of six months", to assist the inhabitants against any raid by the enemy.

Six heavy guns on the island were ordered mounted on carriages and placed in position for use. A substantial coast guard was provided to watch the ocean for suspicious vessels. To accommodate this important force, watch-houses, eight feet square and six feet stud, were built at Castle Hill, Brenton's Point, Sachuest Point, the Island of Conanicut, Point Judith, Watch Hill, and on the high land in the town of Portsmouth.

In order that the news of the approach of the enemy might be

speedily communicated throughout the Colony, beacons were ordered erected at different points to be fired in case of danger. One was on Block Island, one at Point Judith, one at Watch Hill, one at Beaver Tail, one at Newport, and another at Portsmouth. In May following provision was made for enlisting men for the war, and enlistment officers were appointed for each county in the Colony. Every soldier upon enlistment was promised £3 and that he should be exempt from all military service for a period of three years after the expiration of his term of enlistment. Before the 15th of July the force necessary for the expedition against the Spanish possessions in the West Indies had been enlisted; indeed, a greater number had responded to the call than was required. Five of the military officers of the Colony, with two lieutenants of the British army who had been sent to Rhode Island for the purpose, were ordered by the General Assembly to immediately organize two companies of one hundred men each, and to discharge such additional recruits as had enlisted on the best terms that could be arranged. A committee was also appointed to provide transportation to Newport, so that the troops could embark by the 15th day of August. Capt. William Hopkins was appointed to the command of one of the companies, with Joseph Sheffield lieutenant.

Early the next year rumors of impending trouble with France, coupled with the actual hostilities with Spain, urged the Colony to still further provide for its defense. This year marks a change in the custom of electing officers to command the militia of the Colony. For years all the military officers had been chosen by the freemen and soldiers. The General Assembly, at its session held in Warwick, January 27, 1741, repealed the law making this provision, and provided that in the future the General Assembly, at its annual session in May, should choose and elect its military officers.

The losses by disease and in the repulse at Carthagena had greatly reduced the English forces in Cuba, and in October Capt. William Hopkins, who had been with the troops in Cuba, arrived in Providence with a request to Governor Ward from General Wentworth for additional recruits from Rhode Island. He was immediately clothed with such authority. The anticipated operations, however, failed, and it is doubtful if the additional recruits sailed for the tropics.

At the session of the General Assembly held at South Kingstown, February 1, 1741-2, Jahleel Brenton, Godfrey Malbone, Samuel Wickham, Henry Collins, John Gidley, James Honeyman, jr., John Brown, Nathaniel Coddington, jr., Peleg Brown, Charles Bardin, Simon Pease, David Chesebrough, Philip Wilkinson, John Freebody, jr., Thomas Wickham, Walter Cranston, Seuton Grant and William Vernon presented a petition praying that they might associate themselves together as a military company and have a charter granted them. Their petition was granted, and thus was organized the Artillery Company of

the Town of Newport. This organization has been in continuous existence since that date and is the oldest military company in the State. In all the wars since its organization members of this command have served with distinction, even to the hostilities in the Philippine Islands following the war with Spain.

In the midst of the confusion and doubt attending the hostilities in which England and her colonies were then engaged, a letter was received by Governor Greene from the Duke of Newcastle, dated at Whitehall, March 31, 1744, containing the information that war had been declared by France against England, and notifying the Colony to prepare itself for any emergency.

The defenses about the Colony were strengthened and a closer watch was kept on the seaboard. In order to co-operate with Governor Shirley of Massachusetts in the expedition against Louisburg, Rhode Island ordered a force of one hundred and fifty men raised for land service. Godfrey Malbone was authorized to raise a regiment of three hundred and fifty men to be in the pay of the Massachusetts Colony. A portion only of the troops sent on this expedition arrived in time to take part in the fight. Sickness and the casualties at Louisburg so depleted the quota from Rhode Island that in March another levy was ordered of three companies.

Preparations were made for a general invasion of Canada, and additional troops were called for to assist in garrisoning forts which the English had taken and for the more extensive operations throughout Canada. Three additional companies were ordered raised in June of one hundred men each for this service, and they were sent forward as soon as recruited.

While these preparations were going on for the conquest of other important points in Canada, the news of an attempt to recapture the stronghold at Louisburg by a large French fleet caused the governor of Rhode Island to hold the troops raised for Canadian service within the Colony. Soon, however, the alarm abated and a detachment was sent forward to Annapolis, the troops experiencing most terrible hardships by reason of storms and bitter cold weather.

Hostilities ceased in the early part of April, 1748, and the treaty of Aix-la-Chapelle followed a few months later.

What has been called the old French War began in May, 1754. Soon after hostilities had commenced the usual levying of taxes for carrying on the war began. In August, 1754, a tax of thirty thousand pounds was levied to meet these demands, five thousand pounds of which was appropriated for repairing the fort at Newport, previously called Fort Anne, but now called Fort George.

Late in the fall of this year New England was called upon to raise two thousand men to be under the command of Shirley and Pepperell. Of this number Rhode Island promptly furnished one hundred men.

A commissary-general was appointed, additional taxes were imposed, and more rigorous laws regulating the military affairs of the Colony were adopted. A troop of horse was organized in Newport. The officers of this organization were: First Company—Capt. Benjamin Sherburne, who afterwards bore a conspicuous part in the Revolutionary struggle; Lieut. Harry Sowle, Cornet Joseph Sowle, Quartermaster Newby Coggeshall. Second Company—Capt. William Briggs (son of Job), Lieut. Israel Shaw, Cornet Thomas Church, Quartermaster William Woodman.

The calls for men and money to carry on the war now came one after another with never ceasing regularity; the already overtaxed and war-scarred colonists responded nobly and generously; the same spirit of enthusiasm and patriotism inspired them to aid, fight for and protect the mother country at this period as did twenty years later to resist the tyrannical measures that were imposed upon them by the same authority.

At the March session of the General Assembly, 1755, the so-called secret expedition to Crown Point was the subject of most profound consideration. In order to resist the encroachments of the French at this point, it was proposed to erect a strong fort upon the rocky eminence near Crown Point, and in order to assist in these operations Rhode Island was called upon to furnish four companies of infantry of one hundred men each, and at this time provision was made for their enlistment and support in the field.

Christopher Harris was appointed colonel of the so-called regiment, and the following officers were appointed to enlist and command the four companies: First Company—Edward Cole, captain; Samuel Nichols, lieutenant; Joshua Birl, ensign. Second Company—Robert Sterry, captain; David Dexter, lieutenant; Thomas Benket, ensign. Third Company—Henry Babcock, captain; Edward Gray, lieutenant; Ichabod Babcock, jr., ensign. Fourth Company—Abraham Francis, captain; John Wardwell, lieutenant; Joseph Potter of Warwick, ensign.

During the latter part of the summer further demands were made upon the Colony for the Crown Point expedition, and three additional companies of fifty men each were raised and hurried forward to join the troops under the command of Colonel Harris. The raising of this additional force was attended with some difficulty. A number of the legislators, as well as a large number of the citizens objected to this demand upon the Colony's resources. They felt that Rhode Island had contributed her part already, and they united in the following protest: "We, the subscribers, dissent from the vote for raising one hundred and fifty men to be added to them already raised for the expedition to Crown Point for the following reason:

Because we are of opinion, that the four hundred men formerly



voted, are the Colony's full quota; and we are unwilling to load our constituents with a burden that we think exceeds their ability to bear

“Thomas Rogers

Edward Scott

“Benj. Arnold

Immanuel Northup

“William Spencer

Samuel Durfee

“Philip Greene of West Greenwich”.

Notwithstanding this opposition, however, provision was made for their equipment and support.

The officers of these three companies were as follows: Fifth Company—Capt. John Whiting, Lieut. Benjamin Hall (son of Nathanael), Ensign Benjamin Bosworth. Sixth Company—Capt. Amos Hammond, Lieut. Stephen Arnold (of Smithfield), Ensign Joseph Davis (of Cumberland). Seventh Company—Capt. William Bradford, Lieut. Robert Hopkins (of Exeter), Ensign Jonathan Andrew.

The losses sustained during the summer of 1745 and the extent which the operations had assumed called for still further reinforcements from all the Colonies. It also created another burden, which fell as heavily upon the colonists as these frequent demands for men, and that was money. The financial condition of the Colony was demoralized and every new emission of bonds or certificates of indebtedness only increased the financial derangement which had previously existed. Nevertheless the Colony met each demand with promptness and vigor, and in September the General Assembly ordered four more companies enlisted, of fifty men each, and this force was at once sent forward to join the main body. Rhode Island now had a regiment in the field, consisting of eleven companies and numbering seven hundred and fifty men. The officers of these four additional companies were as follows: Eighth Company—Capt. Daniel Bosworth, Lieut. Christopher Hargill, Ensign William Nichols. Ninth Company—Capt. John Patten, jr., Lieut. William Richmond, jr., Ensign James Tew, jr. Tenth Company—Capt. Robert Hopkins, Lieut. Ebenezer Cahoon, Ensign Giles Russell. Eleventh Company—Capt. Barzillai Richmond, Lieut. Ebenezer Jenckes, Ensign Nathanael Peck.

In January, 1756, the rigors of a New England winter bore so heavily that military operations were practically suspended and the greater part of the force in the field was disbanded and the men returned to their homes. Rhode Island, however, continued a portion of her force in service, retaining one hundred men for home defense, while a body of eighty-five men was left at Fort William Henry, near Lake George, forming a considerable portion of the garrison there maintained during the winter. The service of one of the Colony's officers, Capt. John Whiting, was of such a character as to secure for him the appointment of “fort major and adjutant of the garrison”.

The lack of success attending the colonial army and the abandonment of the reduction of Crown Point caused much dissatisfaction

among the Colonies. Rhode Island, however, continued to uphold the much berated Shirley and continued her preparations for a more vigorous prosecution of the war when the returning springtime should make military operations less perilous.

In February, 1756, a new regiment, known as the Rhode Island Regiment, was organized for the reduction of Crown Point. Provision was made for a regiment of five hundred men, divided into ten companies.<sup>1</sup> One of these companies was already in service, being stationed at Fort William Henry. Joshua Brown was appointed second lieutenant of this company, the old Fifth Company. The officers of this new regiment were as follows: Col. Christopher Harris, Lieut.-Col. Christopher Champlin, jr., Major Samuel Angell. Colonel's Company—1st Lieut. Thomas Burkit, 2d Lieut. Elkanah Spear. Lieut.-Colonel's Company—1st Lieut. William Richmond, jr., 2d Lieut. Benjamin Bosworth. Major's Company—1st Lieut. Silas Cooke, 2d Lieut. Mark Noble. First Company—Capt. George Gardiner, jr., 1st Lieut. John Liscomb, 2d Lieut. James Tew, jr. Second Company—Capt. Henry Babcock, 1st Lieut. Giles Russell, 2d Lieut. Samuel Hearne. Third Company—Capt. Barzillai Richmond, 1st Lieut. Joseph Davis, 2d Lieut. Nathaniel Peck. Fourth Company—Capt. John Patten, jr., 1st Lieut. Grindall Reynolds, 2d Lieut. George Sherman. Fifth Company—Capt. Daniel Bosworth, 1st Lieut. Christopher Hargill, 2d Lieut. Edward Tably. Sixth Company—Capt. Amos Hammond, 1st Lieut. Samuel Champlin, 2d Lieut. Samuel Rose. Commissary, Rufus Hopkins. Adjutant, Giles Russell. Chaplain, Ephraim Starkweather.

Several of the officers who had served in the former regiment were enrolled in the new regiment, some of whom were destined to see service in a more bitter war, when they would fight against the arms which they were now supporting with fidelity and heroism.

Meanwhile much energy was directed towards putting the militia of

<sup>1</sup>Among the manuscripts in the Rhode Island Historical Society in the volumes entitled "Rhode Island Manuscripts", vol. vi, are several of the pay rolls of the companies which formed a part of Rhode Island's contribution to the war. At page 64 will be found the pay roll of Col. Christopher Harris's Company, dated Dec. 21, 1756, containing 48 names; at page 65, that of Lieut.-Col. Angell's Company, marked paid off Dec. 20, 1756, containing 50 names; at page 66, that of Capt. John Potter's Company, marked paid off Dec. 21, 1756, containing 45 names. Roll of Capt. Ebenezer Jenckes's Company, which is marked paid off Dec. 22, 1756, at page 67, and containing 39 names. Another roll of Capt. Ebenezer Jenckes's Company, dated Dec. 27, 1757, containing 78 names, is at page 69. A roll of Capt. Daniel Wall's Company, dated Jan. 12, 1758, containing 89 names, is at page 70. A roll of Capt. Ebenezer Jenckes's Company, dated Jan. 10, 1759, at page 71. An account of cash paid officers and soldiers belonging to Capt. Burkitt's and Capt. Eddy's Companies, dated Dec. 26, 1759, containing 78 names, is at page 72. An account of cash paid officers and soldiers belonging to Col. Christopher Harris's Company, containing 155 names, is at page 73.

the Colony on a substantial basis, and the guns at Fort George in Newport harbor were regularly exercised by men who had followed the sea as captains of vessels and who, from this service, had had much experience in the handling of great guns.

In March, 1756, Shirley was superseded as commander-in-chief in America by Lord Loudon, and a more vigorous campaign was expected and begun. He brought with him to America a large force of regular troops. It was not until May following that an actual declaration of hostilities was proclaimed, although the war had been in operation for nearly two years. The enthusiasm which followed the arrival of Loudon was felt throughout the colonies. Rhode Island, however, had never for a moment hesitated in furnishing men or money to carry on the struggle; while the other colonies were complaining and neglecting to furnish their quota Rhode Island had pushed her slender resources to the utmost. Her people, already overloaded by the demands for men to supply her regiments and money to support them, sternly faced the situation and furnished all that was demanded or required, and it was credited at the time with furnishing nearer her quota than any of the other colonies. In June, 1756, two more companies of Rhode Islanders, of fifty men each, were put in the field against Crown Point,<sup>1</sup> and in September another regiment of four hundred men was drafted into service, but this force was not destined to serve, for almost with the order for the regiment to go forward came an order to delay marching; small-pox had broken out among the troops at Albany, and the season was so far advanced that further operations were decided to be impracticable.

In February following, however, another regiment of four hundred and fifty men was enlisted for one year, to serve under the command of the Earl of Loudon.

The officers of this regiment were as follows:<sup>2</sup> Colonel Samuel Angell. First Company—Capt. George Gardiner, jr., 1st Lieut. Christopher Hargill, 2d Lieut. Isaac Wilbur, jr., Ensign Israel Peck.

<sup>1</sup>A return of the Provincial forces of the several Provinces and Colonies raised for the reduction of Crown Point, dated June 12, 1756, and contained in a volume of manuscript relating to the "French and Indian War, 1755-1761", in the office of the secretary of state, Providence, shows the strength of the Rhode Island forces to be as follows: At Fort William Henry, 2 officers, 43 men; at Fort Edward, 3 men; at Stillwater, 1 officer, 24 men; fit for duty at Half Moon and Albany, 20 officers, 288 men; on command 1 officer, 24 men; sick and invalids, 1 officer, 11 men; on boat and other service, 1 officer, 33 men; total, 25 officers, 449 men. This volume contains a great number of letters and other official papers relating to the war, and is a most valuable collection of material relating to this period in the State's history.

<sup>2</sup>Rolls of Cpts. Daniel Wall's Co., John Whiting's Co., Jeremiah Greene's Co., Ebenezer Whiting's Co., and Ebenezer Jenckes's Co., for the months of February, March, April and May, are contained in the volume entitled "French and Indian War. 1755-1761", in the office of the secretary of state, Providence.

Second Company—Capt. John Potter, jr., 1st. Lieut. Elkanah Spear, 2d Lieut. Mark Noble, Ensign Samuel Sanders. Third Company—Capt. John Whiting, 1st Lieut. James Tew, jr., 2d Lieut. George Sherman, Ensign Amos Whiting. Fourth Company—Capt. James Greene, 1st Lieut. Giles Russell, 2d Lieut. Samuel Hearne, Ensign Jeffrey Wilcox, jr. Fifth Company—Capt. Daniel Wall, 1st Lieut. Nathanael Peck, 2d Lieut. Edward Tablee, Ensign Abel Gibbs. William Hunter, surgeon; Christopher Nichols, surgeon's mate.

The disaster at Fort William Henry, in August, 1757, caused the most intense excitement in the Colonies. On the 14th of August, 1757, four days after the attack and massacre, Col. Samuel Angell, commanding the Rhode Island Regiment, sent a letter to Governor Greene of Rhode Island, giving the details of the fight; in this letter he says:

“The 2d inst., Col. Young, of the third battalion of the royal Americans, and Col. Frye, of the Massachusetts, marched to the lake with about thirteen hundred men, which made up the number in camp and garrison, to twenty-four hundred, including carpenters and sailors.

“On the 3d inst., at five o'clock, in the morning, the fort and camp were invested by Canadians and Indians; and at the same time, a large body of boats and canoes appeared on the lake near, while our camp was attacked by a superior number of the enemy. They landed their artillery the same day. Our rangers brought in one of their lieutenants prisoner who gave account of their strength consisted of three thousand regulars, five thousand Canadians, and three thousand five hundred savages, thirty-six cannon, and four mortars.

“The siege continued obstinate till the 9th day at six o'clock, in the morning, when all the cannon, bigger than twelve pounders, were broken; the men in camp and garrison, spent with fatigue. They capitulated on honorable terms, viz.: that they should march to this place with a brass twelve pounder in the front, and their fire-locks clubbed, and colors flying, with all their baggage. This was agreed to, and articles signed. General Montcalm and other principal officers of his army, expressed and acknowledged that they had made a defence beyond expectation, and for those reasons, he allowed them as good terms as General Blakeney had. The articles obliged our men not to bear arms till eighteen months were expired.

“The morning following, our men were to march with a strong guard of regulars, to keep the savages from insulting them. When our people began to draw up for a march, the horrible scene of massacre then began, by the savages scalping our sick and wounded men; next, by their drawing out all the black men, scalping the Indians and keeping the negroes for slaves. All this did not satisfy them; but they went to stripping and scalping without distinction; which put our men to the flight, each man for himself—having no protection, agreeably to the articles. They all scattered in the woods; the Indians following them several miles. Our men have been coming in since eleven o'clock,

that day, till this morning, by single persons and small parties; not a man but is stripped; some, quite naked.

“There are yet behind several hundred; many of whom, it is known, are sick, and many, it is thought, will perish in the woods. This minute, a deserter from the French says that above two hundred of our men went back to the French for protection.

“By our parties just came in, we have certain accounts that the fort is destroyed; and that the enemy are drawing off. We have about four thousand militia here, and two thousand troops”.

Rumors of the defeat had reached Rhode Island some time before this letter was received, and the General Assembly was already engaged in making preparations to meet any emergency that might occur.

One-sixth part of all the militia was ordered dispatched to Albany “with all possible dispatch”.<sup>1</sup> All the companies of horse and foot in the Colony were ordered to rendezvous in each town on or before Monday, the 15th day of August, at 12 o’clock.

The method by which the men were to be selected for this body of reinforcements is set forth with much detail in the act passed for raising the troops, and as it describes with minuteness the methods by which soldiers were drafted in days of the colonial government, a portion of it is quoted: “All the following officers shall be included in the lists out of which said sixth part is to be drawn, that is to say: all fence viewers, supervisors of highways, field drivers, pound keepers, constables, wood-corders, sealers of weights and measures, inspectors of wood-corders, sealers of leather, viewers of hoops, staves and heading, and gaugers, not otherwise excused by law”. “That the names of all persons in the list of each company, shall be written on a scroll of paper, and rolled up, and then put into a hat or box; and one sixth part thereof, shall be drawn (unless the company agree that the commissioned officers shall press said sixth part), and the persons whose names shall be so drawn or pressed, shall go on this service”. “Any person drawn, who declines going, and shall immediately procure an able bodied, effective man to go in his room, shall be excused; but no person shall be excused without”. “No person’s name be put into the hat or box, who, through sickness or lameness, cannot go, or who was out of the government before the meeting of this Assembly”. “The commissioned officers of each and every company in this Colony, both horse and foot, if they cannot agree among themselves, who shall go, shall determine the same by lot, at the time of drawing the men;

<sup>1</sup>There is a list of the names of the men comprising “that part of the regiment raised in Rhode Island which marched out of the County of Newport”, and dated August 18, 1757, in the volume entitled “French and Indian War, 1755-1761”, in the office of the secretary of state, Providence. It shows 113 men from the town of Newport, 6 from Middletown, 14 from Portsmouth, 21 from Little Compton; “no return is made from Bristol and Tiverton.”



and the officer or officers so drawn, shall be obliged to go in the said regiment". "Any person being duly warned by beat of drum, or leaving notice at his place of abode, six hours before the time of meeting, which shall be deemed sufficient warning, who shall not appear at the time and place to which he is warned, shall forfeit and pay as a fine, £100; to be recovered in manner as abovesaid, by the commissioned officers, and paid into the town treasury, to and for the use of the town".

The officers selected for this regiment were John Andrews, colonel; Joseph Wanton, jr., lieutenant-colonel; Henry Babcock, second lieutenant-colonel; Stephen Potter, major.

The situation now was most disheartening and fears were entertained that the scenes of carnage would be brought nearer to the New England settlements than they had been up to this time. Long before this letter was received, in fact the day after it was written, a large number of the principal men of Providence drew up and signed the following paper:

"Whereas, the British Colonies in America are invaded by a large Army of French and Indian enemies, who have already possessed themselves of Fort William Henry, and are now on their march to penetrate further into the country; and from whom we have nothing to expect, should they succeed in their enterprise, but Death and Devastation. And as his Majestys principal Officers in the parts invaded, have in the most pressing and moving manner, called on all his Majesties faithful subjects for assistance to defend the Country.

"Therefore, we whose names are underwritten, thinking it our duty to do everything in our power for the defence of our Libertys, Families and Propertys are willing and agree to enter Voluntarily into the service of our Country, and go in a warlike manner against the Common enemy and hereby call upon and invite all our Neighbours who have familys and Propertys to Defend to Join with us in this undertaking, Promiseing to March as soon as we are Two Hundred and Fifty in Number, recommending our selves and our Cause to the Favourable Protection of Almighty God.

"Providence August 15 1757

"Stephen Hopkins  
 "Obadiah Brown  
 "Nicholas Cooke  
 "Barzillai Richmond  
 "Joseph Bucklin  
 "John Randall  
 "John Cole  
 "Gideon Manchester  
 "Ephraim Bowen Surgeon  
 "John Waterman  
 "Joseph Arnold

Nicholas Brown  
 Joseph Brown  
 William Wheaton  
 William Smith  
 Jonathan Clark  
 Jonathan Ballou  
 James Thurber  
 Amos Kinnicutt  
 Nathl Olney  
 Joseph Lawrence  
 Theophilus Williams



“John Bass chaplain	John Power
“John Thomas Junr	Benjamin Olney
“Allen Brown	George Hopkins
“Benoni Pearce	Edward Smith
“Barnard Eddy	Joseph Winsor
“Benjamin Doubleday	Joseph Cole”’. <sup>1</sup>

This document shows, as no act of Legislature or other authority can show, the condition of the public mind at this period, and it no doubt inspired patriotism and aroused the drooping spirits occasioned by the discouraging news which had been received. The fixing of their signatures to this paper was no idle boast nor play for effect, for every man whose name is attached to that paper is inseparably linked with unselfish patriotism and true heroism. They wrought and fought for England then; and they wrought and fought against her tyranny in later years.

It was the intention of the signers to be in readiness to march the next day. Already the force under command of Col. John Andrews was on its way to Albany; but before these volunteers had started, a messenger arrived in Providence bearing a dispatch that the French and Indians had gone back and immediate danger had passed. In consequence of this, Moses Brown, a brother of Nicholas and Joseph Brown, two of the volunteers, was dispatched with orders for their return. He overtook them in Smithfield, at the house of the widow of Resolved Waterman.

Of the troops thus far furnished by Rhode Island all but ninety had returned home, and this body was now quartered at Saratoga.

The public business which the Legislature of the Colony was now called upon to consider was almost entirely relating to military affairs; the demands for troops were incessant, so incessant, in fact, that enlistments, which heretofore had speedily followed every call, now began to come slowly. Already recourse had been made to the draft; bounties and other considerations now were resorted to in order to stimulate enlistments.

A letter from the Crown dated December 30 did not reach the government in Rhode Island until March 13, 1758. It was a request for additional troops to co-operate with the king's army in America in carrying the war into the enemy's country, and the General Assembly “being highly sensible of His Majestys Natural goodness and willing to exert themselves to the utmost of their ability for promoting the service”, promptly ordered another regiment of one thousand men.

Many of the officers already in service were retained in this regiment, and as most of their names have already been mentioned else-

<sup>1</sup>The copy from which this is made was deposited in the archives of the Rhode Island Historical Society by Moses Brown, he considering it well worth preserving. He had not added all the names of the signers to his copy.

where, the reader is referred to the "Civil and Military Lists of Rhode Island", at page 203, where all the officers' names will appear. This regiment, a few weeks later, was ordered sent forward to Albany.

The summer of 1758 brought a victory which brightened the hearts of the colonists and encouraged them to still further exertion. Louisburg, after a gallant defense, surrendered. For some weeks before the expedition started to reduce this place nearly two thousand British troops were quartered in Providence. With the local militia and this large body of regular troops, Providence, with a population of less than 3,500 souls, was sorely pressed by this burden, but from no record can there be found evidence to show that one word of complaint was uttered; it was one of the incidents of war, and the people had already become inured to the hardships of the struggle.

Simultaneously with the attack at Louisburg, a large force of English advanced on Fort Ticonderoga, and on the 8th of July, 1758, this stronghold was attacked. A desperate battle ensued, lasting four hours. Nearly two thousand of the English force were either killed or wounded, and the British commander, much to the surprise of his officers, retreated to Fort William Henry, and soon after he was relieved of his command. In this bloody battle the Rhode Island troops played a conspicuous part and suffered heavily in killed and wounded.<sup>1</sup> Colonel Babcock, Capt. John Whiting, Lieut. Russell, and Lieut. Smith were among the wounded. On the 10th Colonel Babcock dispatched the following graphic account of the battle to Governor Hopkins:

"The 5th inst., the army, consisting of fifteen thousand men, proceeded down the lake, in batteaux, with thirty days' provision. The 6th, in the morning, half after eight, we landed at the advance guard; who were very easily driven from their post, with no loss on our side, and but four on theirs. About two o'clock, P. M., the whole army marched, saving a battalion of the York regiment, who were posted as a guard on our batteaux. About three o'clock, we were attacked by a party of the enemy, in which engagement, we unfortunately lost the brave Lord Howe. There were taken of the enemy one hundred prisoners, eight of whom were officers; our army was much scattered by reason of the firing in the woods, and it was thought advisable to return that evening to our batteaux.

"The next day, Col. Broadstreet was ordered with fifteen hundred batteaux men, and two regular regiments, with five of the Massachusetts regiments, to take possession of the saw mill, which we did, without the loss of a man. The same evening, the whole marched up to the saw mill.

"The 8th, (the fatal 8th,) were ordered to proceed in the following

<sup>1</sup>Colonel Babcock, in his report of the battle to Governor Hopkins, July 10, 1758, submitted a list of the killed and wounded, but unfortunately this list has disappeared from the archives of the State.

manner: the batteaux men, light armed infantry, and the rangers, were ordered to form a line about two hundred yards from the French entrenchments; which extended from Lake George to Lake Champlain; the regulars were to form a line behind the first line; who, after they were formed, were to pass through the first line, they making avenues for them; after that, they were to form the line again. A captain and fifty men, out of the line, were detached for picket, who were to form in front; the grenadiers were to form behind them; and in this manner, they were to attack the trenches, and were to march with shouldered firelocks, till they should get on top of the trenches.

“They accordingly marched on with great intrepidity, but were received so warmly, that they were obliged to give ground, after making most vigorous efforts; they even went up to the breast-work, but were knocked down so fast, that it was very difficult for those behind to get over the dead and wounded. But before the attack of the regulars, the enemy began with firing upon the Yorkers. In the rear of the regulars, the Connecticut, New Jersey and Rhode Island troops were ordered to form about three hundred yards behind, who were to support them, if necessary.

“About an hour after the attack, I was ordered to march with the regiment, to relieve those that had been engaged. We went up within about forty yards of the breast-work. Soon after I got up, in posting my regiment to the best advantage I could, I received a shot in my left knee; after that, finding myself of no advantage, I ordered two men to carry me off, and left the regiment warmly engaged. We have lost no officers. Capt. John Whiting, Lieuts. Russell and Smith are slightly wounded. The return of the killed and wounded, Your Honor, is enclosed.

“The same evening, to my great surprise, the whole army was ordered to return to the batteaux, to the great mortification of chief of the officers; and the next evening we arrived here.

“Never did an army gain more advantage in so little time, whilst the late Lord Howe was alive; but soon after that, we became a confused rabble. We have lost a great many brave officers; in Lord Howe’s regiment, all the field officers were killed.

“Sir William Johnson joined us four hours before the engagement; but the Indians not being used to attack trenches, soon came off”.

A month after the repulse at Ticonderoga an expedition was planned against Fort Frontenac, where is now located the town of Kingston; the brilliancy and success of this affair did much to relieve the depression caused by the disaster at Ticonderoga. Major Daniel Wall, who served with the Rhode Island troops in this expedition, thus describes the attack:

“Three thousand troops, with four brass twelve pounders, and two howitzers, set out on the 14th August, on a secret expedition, under the command of Col. Broadstreet; out of which number, there were three

hundred and twelve from the Rhode Island regiment. We proceeded to Oswego, with the utmost dispatch, and crossed part of Lake Ontario; and on the 25th, we landed in high spirits, on an island, in open sight of Fort Frontenac and their shipping—a brig and schooner (partly rigged).

“Col. Broadstreet immediately sent a whaleboat to reconnoitre the shore, and find a proper place to land. The whaleboat returned, and thought it impracticable to attempt to land before the evening, by reason of the very great surf. Provisions were then issued, and the people employed in cooking.

“At about seven, in the evening, landed the whole troops, about a mile distant from the fort, without being opposed. The rangers and Indians, who were about two hundred, scouting in the woods; and an attempt was then formed to board the brigantine and schooner, with whaleboats; but as they warped in under the fort, it was thought impracticable to attempt it. The troops were under arms all that night, in the front of the batteaux; and about eight, next morning, all our artillery were landed and fixed in their carriages. About ten, began to cannonade, under cover of a hill, about seven hundred yards distant; the enemy firing hot, but without doing execution.

“As soon as it was dusk, we approached up to a breast-work of the enemy, erected at the time that Oswego was garrisoned, through which we cut embrasures; and at day-break began to throw shells, which continued very warm till seven o’clock, the enemy firing very warm, both with their cannon and small arms, when we perceived them endeavoring to escape with the vessels. We immediately brought two twelve pounders to play on them, which shattered them very much, and all the crew on board took to their boats, and made off, and suffered the vessels to drive on shore. Then the garrison sent out to surrender, and were suffered to take what things they could carry off in batteaux, and to go to Swerchorche (Oswegatchie).

“We were all day employed in getting the valuable things out; and in the evening, in demolishing the fort, burning the vessels, &c., that were rigged; which were two snows, two schooners and three sloops. The brigantine and schooner were soon got off; and next morning left the place on fire, and proceeded with them to Oswego, where they arrived that night, and the whole fleet the next.

“There was an immense quantity of provisions, which they were going to transport to Frankfort and Niagara, and their other forts; the want of which, will distress them very much”.

The troops from Rhode Island did not participate in the fall and winter campaign. Instead, however, of disbanding the troops during the season of inactivity, as had been the custom previously, the General Assembly continued all the men in pay, discharging only the higher officers. In February following, orders were received in Rhode Island to concentrate the Rhode Island regiment at Albany by the 10th of April, and the Legislature at once made preparations for furnishing

one thousand men in thirteen companies. The time occupied in going from Providence to Albany at that period was upwards of two weeks, and the force was ordered to be ready to leave by the 25th of March.

This regiment was raised for the reduction of Crown Point. The officers appointed for the regiment were: Henry Babcock, colonel; Daniel Wall, lieutenant-colonel;<sup>1</sup> John Whiting, major. Colonel's Company—1st Lieut. Edward Talbee, 2d Lieut. Joseph Stanton, jr., Ensign Wm. Bennett. Lieut.-Colonel's Company—1st Lieut. Tibbetts Hopkins, 2d Lieut. Benjamin Carr, Ensign Stukely Stafford. Major's Company—1st Lieut. William Sheehan, 2d Lieut. Daniel Byrn, Ensign Thomas Swinburne, jr. Fourth Company—Capt. Thomas Burkett, 1st Lieut. Jonathan Spear, 2d Lieut. Moses Bowdich, Ensign Arthur Fenner, jr. Fifth Company—Capt. James Tew, jr., 1st Lieut. Thomas Tew, 2d Lieut. Abner West, Ensign George Cornel (son of Clarke). Sixth Company—Capt. Samuel Rose, 1st Lieut. Caleb Tripp, 2d Lieut. Moses Warren, Ensign Records Tabor. Seventh Company—Capt. Nathanael Peck, 1st Lieut. Thomas Rose, 2d Lieut. Solomon Roffey, Ensign Nathanael Rice. Eighth Company—Capt. Thomas Fry, jr., 1st Lieut. Thomas Jenkins, 2d Lieut. Samuel Watson, jr., Ensign Asa Bowdich. Ninth Company—Capt. Benjamin Eddy, 1st Lieut. Samuel Saunders, 2d Lieut. Thomas Collins, Ensign Asa Kimball. Tenth Company—Capt. Christopher Hargil, 1st Lieut. Samuel Stoneman, 2d Lieut. Fambulain Campbell, Ensign John Manchester of Portsmouth. Eleventh Company—Capt. Joshua Brown, 1st Lieut. Giles Russell, 2d Lieut. Samuel Champlain, Ensign John Beverly. Twelfth Company—Capt. William Tripp, 1st Lieut. Mitchel Case, 2d Lieut. Samuel Weatherby, Ensign Nathan Bliven. Thirteenth Company—Capt. Moses Palmer, 1st Lieut. Israel Peck, 2d Lieut. William Palling, Ensign Peleg Slocum. Lieut. Giles Russell was appointed adjutant of the regiment. Thomas Rodman, son of Clarke, was appointed surgeon, with Benjamin Brown and Thomas Munro surgeon's mates. Joseph Holloway was appointed commissary and sutler.

The Rhode Island Regiment was recruited up to its full strength and one hundred and fifteen men were sent to Albany to join the main body. A return of the regiment made by Colonel Babcock and dated at Lake George, July 10, 1759, shows its strength to be 689 officers and enlisted men.

A vigorous campaign for the conquest of Canada was now going on. Fort Ticonderoga and Crown Point were already in the hands of the English troops, and a large force under command of General Wolfe lay before Quebec. For two months the English army manœuvered before the city, waiting for reinforcements, which never came. At last, tired of waiting longer, Wolfe, under cover of night, sent his army up over

<sup>1</sup>Lieut.-Col. Wall did not join his regiment and was retired by a court martial to be cashiered. See R. I. Colonial Records, vol. vi, p. 176-219.



the rocky heights above the city, and on the Plains of Abraham, on the 13th of September, the two armies engaged in battle. It was a bloody and disastrous action, in which both commanders, Montcalm and Wolfe, lost their lives. Five days later, on the 18th, Quebec capitulated. The war was drawing to a close; in order to hasten it, additional levies were made upon the Colonies. Another regiment was required for the final stroke, and in January, 1760, the Legislature of Rhode Island made provisions for a regiment to be raised for the reduction of Montreal. The officers selected, with some few exceptions, were men who had already been in service for a long time.<sup>1</sup> Col. Christopher Harris was placed in command. It was not until September following that Montreal surrendered, and the long war was at an end. The next month the General Assembly voted to disband its military force raised for the war as soon as it was discharged from service by the commander-in-chief. A day was set apart for thanksgiving and praise, and the return of peace was celebrated with great rejoicing.

With the acquisition of new territory a larger military force was required to protect it, and the Colonies were called upon to supply in part this force.

The Legislature of Rhode Island, in March, 1760, ordered a seven company regiment of six hundred and sixty-six men raised for the purpose. John Whitney was appointed colonel, and a good portion of the officers who had served in the regiments heretofore raised were given commissions.<sup>2</sup>

Two years later the war against the Spanish possessions in the West Indies caused a demand on the Colony for additional troops. The quota assigned to Rhode Island was 178. At the same time a regiment of 666 men was ordered raised. Samuel Rose was appointed colonel.<sup>3</sup>

In April, 1762, two hundred and seven men were ordered sent from Rhode Island to take part in the expedition against Cuba, under the command of General Amherst. This body of Rhode Island troops was commanded by Lieutenant-Colonel Christopher Hargill.<sup>4</sup>

A return made by General Amherst of the troops to be levied, those actually raised, and those to remain in service during the winter, for the year 1762 in the Colony, gives the number to be levied 666, number raised 653, number served in winter 64; this latter force was ordered to Fort Stanwix.

In an account of the "Capture of Havana in 1762", by Walter

<sup>1</sup>The list of commissioned officers will be found in the "Civil and Military List of Rhode Island, 1647-1800", at pages 214-215.

<sup>2</sup>For list of officers see "Civil and Military List of Rhode Island, 1647-1800", p. 223.

<sup>3</sup>The names of other officers will be found in the above quoted volume at page 228.

<sup>4</sup>A partial list of the soldiers who participated in this expedition is in the custody of R. H. Tilley, state record commissioner.



Kendall Watkins, in which is included the Orderly Book of Lt.-Col. Israel Putnam for the campaign, published in the "Year book of the Society of Colonial Wars in the Commonwealth of Massachusetts for 1899, publication No. 5", the following list is printed:

"List of the Dead in the Rhode Island Detachment consisting of 212, officers included, at the Havannah.

"Lieut, Asa Bodwitch, Lt. Thomas Rose, 3 sergeants, 5 corporals, 2 drummers, 100 private men. All of whom died of sickness, excepting two, who were killed by the enemy besides 3 wounded".

In this expedition, as in that to the same locality nearly one hundred and forty years later, disease wrought more havoc than the bullets of the enemy.

At the outbreak of the War of the Revolution the active military force of Rhode Island consisted of the several companies of the Train Bands and of independent chartered military organizations, bearing high-sounding names, like the North Providence Rangers, Scituate Hunters, Pawtuxet Rangers, Providence Grenadiers, Kentish Guards, and some others. According to the standard of the times, these companies were well equipped and well disciplined. The officers were elected at stated times by the members of the companies and their choice communicated to the General Assembly, which body approving the choice, they were duly commissioned by the governor. These officers were generally selected with due regard to their skill and ability, and were men of some prominence in the community in which they lived. Except such as had seen service in the previous wars, most of the soldiers' experience had been obtained at the general musters or trainings.

Immediately after the Concord and Lexington fight, the General Assembly of Rhode Island ordered an Army of Observation of fifteen hundred men to be raised, "with all the expedition and despatch that the nature of the thing will admit of", and all the militia in the State was ordered to drill a half-day once in every fortnight. This Army of Observation, as it was politely called, was raised for the purpose of repelling any "insult or violence that may be offered to the inhabitants" by the fleets and armies which surrounded them—the fleets and armies of His Britannic Majesty. Those who entered the army did so by subscribing to this oath of enlistment:

"I, the subscriber, hereby solemnly engage and enlist myself as a soldier in His Majesty's service, and in the pay of the colony of Rhode Island, for the preservation of the liberties of America, from the day of my enlistment, to the last day of December next, unless the service admit of a discharge sooner, which shall be at the discretion of the General Assembly; and I hereby promise to submit myself to all the orders and regulations of the army, and faithfully to observe and obey all such orders as I shall receive from time to time from my officers".

This entire army was, therefore, enlisted in the King's service.

This was the beginning of Rhode Island's contribution to the Continental Army, and during the whole struggle her contributions were prompt and generous.<sup>1</sup>

The Army of Observation was at once dispatched to the seat of war at Boston, and went into camp at Jamaica Plain. Here Nathanael Greene, who had been elected brigadier-general, assumed command. He found his troops in commotion and disorder; but, through his skillful management and great personal influence, order was restored and a high grade of discipline thereafter maintained.

Notwithstanding the hurried way in which the Rhode Island brigade had been placed in the field, it was the best equipped force in the army. Chaplain William Emerson, of Concord, Mass., an observing man, who visited from time to time the various commands and made notes of what he observed, says: "The Rhode Islanders are furnished with tent equipage, and everything in the most exact English style". With the discipline which Greene's personality inspired, and the completeness of its equipment, the Rhode Island division of the Continental Army was marked and noticeable.

About the first of July the army from Rhode Island consisted of three regiments, comprising 107 officers and 1085 enlisted men—nearly the whole number that had been called for. It is within bounds to say

The regiments of the Rhode Island Line and the officers thereof were as follows :

#### FIRST RHODE ISLAND.

Colonel James M. Varnum, 3d May, 1775, to December, 1775.

Lieutenant-Colonel James Babcock, 3d May, 1775, to December, 1775.

Major Christopher Greene, 3d May, 1775, to December, 1775.

[During the year 1776 the first Rhode Island regiment was called the Ninth Continental Infantry ; its officers were:

Colonel James M. Varnum, 1st January, 1776, to 31st December, 1776.

Lieutenant-Colonel Archibald Crary, 1st January, 1776, to 31st December, 1776.

Major Christopher Smith, 1st January, 1776, to 31st December, 1776.]

Colonel James M. Varnum, 1st January, 1777, to 27th February, 1777.

Colonel Christopher Greene, 27th February, 1777, to 14th May, 1781.

Lieutenant-Colonel Adam Comstock, 1st January, 1777, to———.

Lieutenant-Colonel Samuel Ward, 26th May, 1778, to 1st January, 1781.

Lieutenant-Colonel Jeremiah Olney, 1st January, 1781, to close of war.

Major Henry Sherburne, 1st January, 1777, to 12th January, 1777.

Major Samuel Ward, 12th January, 1777, to 26th May, 1778.

Major Ebenezer Flagg, 26th May, 1778, to 14th May, 1781.

Major Coggsall Olney, 25th August, 1781, to 17th March, 1783.

Major John S. Dexter, 25th August, 1781, to close of war.

[After the death of Colonel Greene, in May, 1781, this organization was known as Olney's Rhode Island Battalion.]

#### SECOND RHODE ISLAND.

Colonel Daniel Hitchcock, 3d May, 1775, to December, 1775.

Lieutenant-Colonel Ezekiel Cornell, 3d May, 1775, to December, 1775.

Major Israel Angell, 3d May, 1775, to 31st December, 1775.

that during the years of the war, every loyal able-bodied man in Rhode Island, between the ages of sixteen and sixty, performed his share of military service, while there are instances where those even younger and older served faithfully in the army and in the coastguard.

Committees were appointed to take an account of the powder, arms and ammunition throughout the Colony, including private arms as well as those belonging to the public stock, and every man in the Colony was ordered to equip himself completely. The old queen's arm, that had hung on the wall covered with dust and grime, was taken from its resting place, cleaned and brightened, and noted in the "list of arms fit for use". All was excitement and activity in the militia. "Not a day passes, Sundays excepted", says the Providence Gazette, "but some of the companies are under arms, so well convinced are the people that the complection of the times renders a knowledge of the military art indispensably necessary". The Continental Army, when it took the field, was so curiously uniformed and equipped that it at once attracted the attention of the officers of the well-organized regiments that had been sent out from England, and caused them much amusement. "No regiment is properly uniformed or armed. Every man has a common gun", wrote one of the British officers.

The news of the battle of Bunker Hill filled the inhabitants of Rhode Island with terror and alarm. A peaceful adjustment of the grievances of the Colonies was now impossible. The blow had been struck; and if, before, diplomacy could have averted the impending storm, the time had passed for such a settlement.

The first act of precaution taken at Providence was the erection of a beacon to alarm the country about, in case of the approach of an enemy. The action was taken at a town meeting held on July 3, 1775.

[The Second Rhode Island Regiment in 1776 was known as the Eleventh Continental Infantry; its officers were :

Colonel Daniel Hitchcock, 1st January, 1776, to 31st December, 1776.

Lieutenant-Colonel Ezekiel Cornell, 1st January, 1776, to 31st December, 1776.

Major Israel Angell, 1st January, 1776, to 31st December, 1776.]

Colonel Daniel Hitchcock, 1st January, 1777, to 18th January, 1777.

Colonel Israel Angell, 18th January, 1777, to 1st January, 1781.

Lieutenant-Colonel Israel Angell, 1st January, 1777, to 18th January, 1777.

Lieutenant-Colonel Jeremiah Olney, 18th January, 1777, to 1st January, 1781.

Major Simeon Thayer, 1st January, 1777, to 1st January, 1781.

#### THIRD RHODE ISLAND.

Colonel Thomas Church, 3d May, 1775, to December, 1775.

Lieutenant-Colonel William T. Milier, 3d May, 1775, to December, 1775.

Major John Forrester, 3d May, 1775, to December, 1775.

January 1, 1781, the First and Second Regiments were consolidated and this regiment was known both as the Rhode Island Regiment and Olney's Rhode Island Battalion. In addition to these regiments of the line, Rhode Island maintained a large body of State Troops, which were in service within the State during a greater portion of the period of the war. Nearly every male capable of bearing arms was called upon to do service in these organizations.

A week later a committee, consisting of Joseph Brown, Joseph Bucklin, and Benjamin Thurber, was appointed to "erect a beacon on the hill to the eastward of the town to alarm the country in case of an enemy's approach".

The hill selected for the location of this beacon was that now called Prospect or College Hill, and the spot was near what is now the corner of Prospect and Meeting streets. A beacon had been erected here more than a century before, in May, 1667, during the troublesome times with the Indians. This undertaking was commenced at once. The Providence Gazette, on July 29, 1775, informed its readers that "a beacon is now erecting on a very high hill in the town by order of the Honorable General Assembly. A watch is likewise kept on Tower Hill in case of any attempt by water from our savage enemies".

On the 20th of July, 1775, news of a startling nature was received from Newport. The British ships, under the command of Capt. James Wallace, lay in a line of battle, with the intention of bombarding the town. The greatest excitement prevailed throughout the Colony. Two days later the British commander, probably realizing the importance of Newport as a rendezvous, abandoned this intention and withdrew his fleet.

At Providence the news of the departure of Wallace was gladly welcomed; for, had the British commander desired, nothing was in his way to prevent his vessels from sailing into the harbor and laying waste all within his reach, for the defenses of the town were entirely inadequate to cope with the British ships.

Newport had been left unharmed, but no one knew how soon the fleet would return. In consequence of this proposed attack, the inhabitants of Providence resolved to take immediate action toward the town's further defense. A town meeting was convened July 31, 1775, and the Hon. Nicholas Cooke chosen moderator; little business other than that appertaining to the defense of the town was transacted at this meeting. Fortifications were ordered built at Fox Hill, at Fox Point, and intrenchments and breastworks were ordered "to be hove up between Field's and Sassafras points of sufficient capacity to cover a body of men ordered there on any emergency". Capt. Nicholas Power was directed to superintend their construction, and was ordered to advise and consult with Capt. Esek Hopkins, Ambrose Page, Capt. John Updike, Samuel Nightingale, jr., Capt. William Earle and Capt. Simon Smith, who were made a committee on the manner of building these fortifications. A battery of six 18-pounders was ordered to be located at the Fox Hill fort, and four cannon to be mounted as field-pieces.

This committee was also ordered to draw up a set of rules for the conduct of the Fox Point Battery, and this they did, presenting it at the town meeting, August 29, 1775, for its approval. It is a most

remarkable military paper, and shows the crude way in which such affairs were managed in the early days of the Revolution. It is as follows:

“Regulations of the Fox Point Battery Drawn by Committee Presented to the Town in Town Meeting August 29 1775.

“Voted one capt E. Hopkins be appointed to commd the Battery at Fox Hill

“Voted one left that Samuel Warner

“Voted one gunner Christopher Sheldon

“do 7 men to each gun Including officers that such be select'd from the town Inhabits, as are acq'd with the use of Cannon and doe not belong to Any of the Independt. Companys who Attending this Duty be excused from the Militia Duties.

“Voted that the Battery compy Appt a capt & gunner for Each Gun out of their compy.

“Voted that upon any person quitting the Battery compy the officers thereunto Belonging have power to sellect others as above said to keep their number complete

“Voted that two Persons be app'd to Guard said Battery on Day who shall attend there on morning to Relieve the Night watch and Tarry until the Evening watch is Sett.

“Voted that the Great Guns be No & Each persons name who belong to said Guns be Wrote on a Card & stuck on the Gun they may belong to that they may know where to repair in case of an Alarm. Vot'd that the Capt. Lieut & Gunner of said Battery have the Care of preparing & keeping the Stores Belonging Thereto in Good Order

“Voted that the Battery Compy Exercise their cannon once a month or oftener to Perfect themselves in the use of Great Guns.

“It is recommended that 2 more 18 pounders be mounted at the Battery at Fox Hill.

“William Earle

“Simon Smith

“John Updike

Committee.”

“Esek Hopkins

“Ambrose Page

“Saml Nightingale Jr

The location of the Fox Hill fort is shown on an old map of the town of Providence, made by Daniel Anthony in 1803, but on account of the many changes that have from time to time been made in this vicinity, its exact location is somewhat uncertain; but the square now bounded by Brook, Thompson, and Tockwotten streets covers the ground on which this important work was erected.

The committee having in charge the erection of these defenses appointed Capt. Samuel Warner to take charge of the Fox Hill fort upon its completion, with all its guns, stores, and material.

Meanwhile the beacon approached completion, and the committee

under whose direction it had been built was ordered "to fire the same on Thursday the 17th of August, at the setting of the sun, and that they procure one thousand handbills to be printed to advertise the country thereof, that proper observations may be made of the bearings of the beacon from different parts of the country, and that they notify the country that the beacon will not be fired at any time after August 17th, unless the town or some part of the colony should be attacked by an enemy, in which case the beacon will be fired and three cannon discharged to alarm the country that they may immediately repair to the town, duly equipped with arms and accoutrements".

These handbills were at once printed, and widely scattered about the neighboring country. At the time appointed the beacon was put to a test, and it was clearly demonstrated that it would serve the purpose for which it had been built; for a letter, received by the publisher of the Gazette, stated that it was observed over a wide area of country, extending from Cambridge Hill to New London and Norwich, and from Newport to Pomfret. It is also stated that many of the inhabitants of the neighboring country, not understanding the nature of this signal fire, hurriedly left their homes and promptly repaired to Providence, all armed and equipped, imagining that the town was about to be attacked by the enemy. The beacon itself was a simple affair, consisting of a spar or mast, some eighty odd feet in height, securely braced at the foundation; wooden pegs for steps, at regular intervals, enabled those managing it to ascend to the "kettle", which hung from an iron crane or mast-arm. This kettle was filled with inflammable stuff so as to produce a brilliant light.

Solomon Drowne, jr., writing to his brother in Mendon, Mass., August 12, 1775, said:

"I herewith send you a handbill, published to be sent into the country for informing the inhabitants of our beacon, &c. The beacon-pole mast, or whatever you please, is raised on the hill, not very far above the powder house, nearly opposite the church; the top of it, I have heard said, is about eighty feet higher than the top of the new meeting-house steeple which, perhaps you have heard, is upwards of one hundred and eighty feet from the ground. Judge what an extreme view it commands. If this reaches you before the 17th inst., I wish you would go up on the hill near your habitation at the time appointed, and direct your eye towards Providence, to descry, if possible, that light, on which one time, perhaps, our safety may in a considerable measure depend."

If William Drowne complied with his brother's request, he must have seen, from the green hills of Mendon, the glare of this watch-fire that August night. Mr. Joseph Brown was appointed to the office of "Master of the Beacon", and James Marvin, James Berry, James Wheaton, and Abimelech Riggs were "appointed Wardens to rig the



kettle, &c. when orders are Given to alarm the country''. A house was constructed at the base of this beacon, wherein to store the combustible, so as to be ready at a moment's warning.

Beacons were established on the high lands in other parts of the Colony to further the spreading of news, in case of any unusual demonstration or attack by the enemy. Besides the Providence beacon, there was a similar one erected on Tonomy Hill on the island of Rhode Island. A trial of this was made June 20, 1776, but no record is found regarding the arc of illumination. Another was in Cumberland, on the hill now called Beacon Pole Hill; and a hole drilled in a rock, which caps the summit of the hill, is shown as the location of this signal. Yet another was on Chopmist Hill in Scituate. Here Squire Williams was stationed as a guard and keeper of the beacon during most of the time when the British were located within the borders of the State. It does not appear these latter signals were ever lighted.

In June, 1775, a post was established on Tower Hill in South Kingstown, for the purpose of giving "intelligence to the northern counties in case any squadron of ships should be seen off". Job Watson was appointed to this important station, with orders, that in case he should discover an enemy's fleet, to give immediate warning, whereupon the alarm companies in the northern counties were directed to immediately repair to Providence.

During the latter part of August, 1775, the British ships cruising about the bay threatened an attack on Providence, and the batteries in the harbor were manned, and the militia assembled under arms; the enemy, however, did not approach the town.

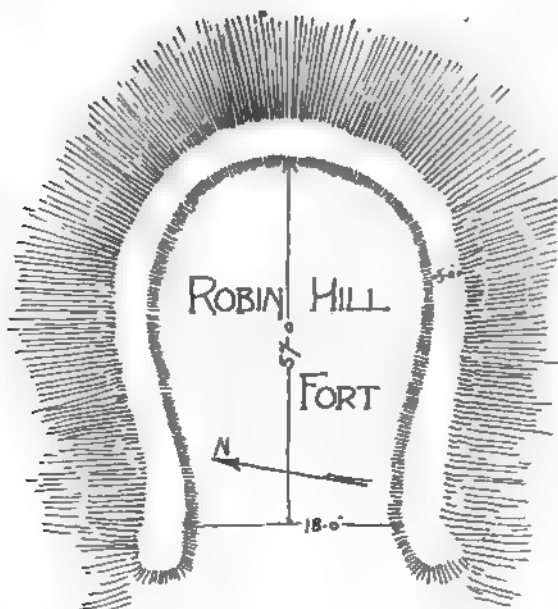
Before August 30, the fort at Fox Hill had been completed and was ready for service; on that day Thomas Gilman was stationed at the fort as a permanent guard. The works in the lower harbor, between Field's and Sassafras Points had also been completed by the hard work of the townsmen. Solomon Drowne, in the letter to his brother, already referred to, says regarding these defenses:

"One day last week Mr. Compton, with one of the Light Infantry drummers and two of the Cadet fifers, went round to notify the sons of freedom who had the public good and safety at heart, to repair to Hacker's wharf, with such implements as are useful in intrenching, where a boat was ready to take them on board and transport them to the shore between Sassafras and Field's Point. About sixty of us went in a packet, many had gone before, some in J. Brown's boat, &c., so when all had got there the number was not much short of 200. I don't know that ever I worked harder a day in my life before. With what had been done by a number that went the day before, we threw up a breast-work that extended near one quarter of a mile.

"A large quantity of bread was carried down, and several were off catching quahaugs, which were cooked for dinner *a la mode de Indian*.

"The channel runs at not a great distance from this shore, so that when cousin Wallace comes up to fire our town, his men who work the ships can easily be picked down by small arms, from our intrenchment, which is designed principally for musqueteers. However we have a little twentification growing at Fox Point, where six pretty lusty bulldogs are to be placed; perhaps this creature may grow into a fortification in time."

The result of a portion of this labor by the inhabitants has been called Robin Hill Fort. It is still well preserved, and is located on the bluff overlooking the river, in the rear of the spot where the powder house once stood; southward from it was the line of intrenchments



running along the edge of the bluff. Of these, however, there is little now remaining.

During the intervening time, until October, 1775, the town was not in great danger from an attack by the enemy, but the bombardment of Bristol, the 7th of this month, again aroused the townsmen to the dangers which might follow, if the British ships should continue up the river.

Following this affair at Bristol, the works at Kettle Point and Pawtuxet were thrown up, batteries were located all along the seaboard, and permanent guards were established. Another fort was considered necessary for the safety of Providence; and at a town meeting held October 26, 1775, a committee was appointed, authorized "to direct

where, and in what manner, fortifications shall be made upon the hill to the southward of the house of William Field'', at Field's Point. This committee evidently performed the duty required of them both promptly and faithfully; for, on the same day, it was voted "that the part of the town below the Gaol Lane (Meeting street), on the east side of the river, be required by warrant from the town clerk, as usual, by beat of drum, to repair to-morrow morning at 8 o'clock, to Field's Point, to make proper fortifications there; to provide themselves with tools and provisions for the day, that the inhabitants capable of bearing arms, who dwell on the west side of the river, be required in the same manner to repair thither, for the same purpose, on Saturday next; and that the inhabitants of that part of the town to the northward of the Gaol Lane, be required, in the same manner, to repair thither for the same purpose on Monday next". The fort built at this time was located on the high hill at Field's Point. This hill is a conspicuous point from the river and bay, and its flat top suggests the fort which even now crowns its height.

On the maps of this locality the fort is named Fort Independence, but no mention of such a name is found on the records of this period. The name quite likely originated with some map-maker in later years. Fort Independence, so called, is one hundred and ten feet long in its greatest length, and varies in width from fifty-three to sixty feet inside of the embankment. The construction of this fort was superintended by Capt. Barnard Eddy.

A boom and chain was ordered stretched across the river at the Field's Point narrows to prevent any hostile vessel from entering the harbor.

In May, 1777, Captain Sumner laid before the town meeting, held on the 5th of that month, a "Plan of a Fort proper to be erected for the Common Defence upon the Hill Eastward from the compact part of the Town". This plan had the hearty approval of General Spencer, and he asked the assistance of the town in pushing it to completion. The townsmen promptly passed a vote, ordering the different military companies in the town to repair, on the 16th day of that month, to Beacon Hill—another name for College Hill—where the beacon had been already erected, to make fortifications.

On the high land on the west side of the river, southerly from what was then called the road to Pawtuxet (now Broad street), was a fort which bore the name of Fort Sullivan. While there is no recorded evidence to show when it was built, the name given to it suggests that it was thrown up during the time when Gen. John Sullivan was in command of this department, and that was in 1778.

There was yet another fort in the harbor. It was not, however, in Rhode Island, but was built on territory so near that it has since, by a change in the State line, been brought within its borders. This is the



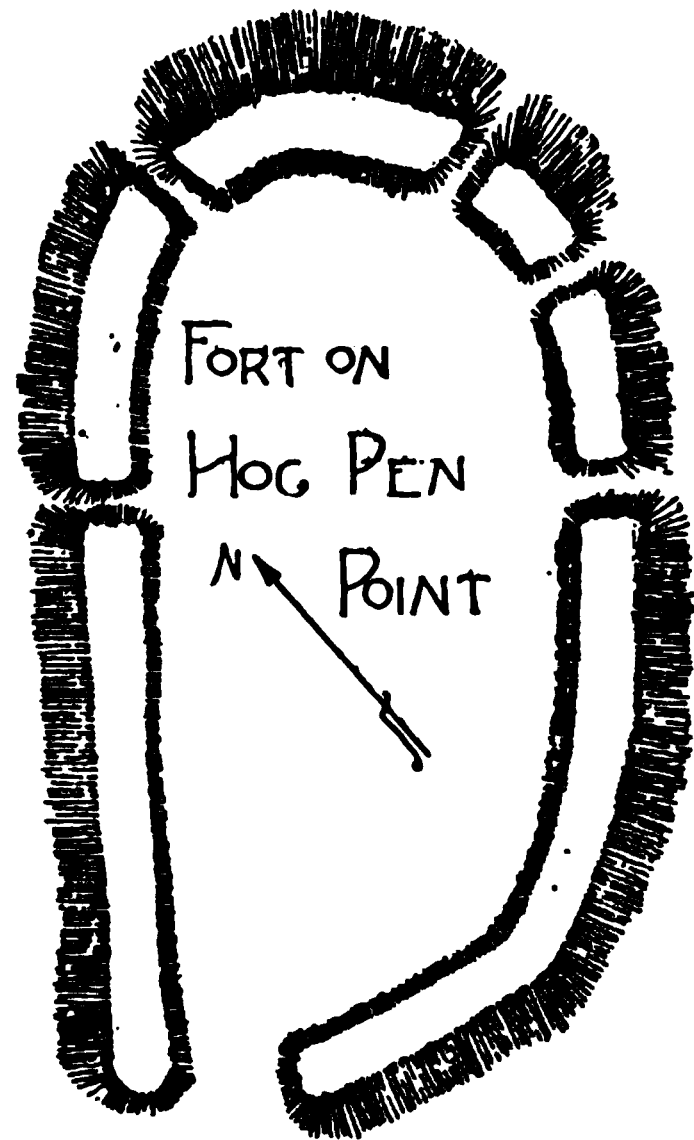
FORT INDEPENDENCE, FIELD'S POINT, PROVIDENCE  
LOOKING SOUTHERLY FROM THE CHIMNEY OF THE SEWERAGE PUMPING STATION.

work on Fort Hill in East Providence. In the days of the Revolution this land was in the town of Rehoboth, and the point of land jutting out into the river, at the base of the hill, was called Hog Pen Point. When the town of Rehoboth was considering the various questions which the times suggested, it was voted, among other measures, on the 6th day of November, 1775, that a committee be chosen "to wait on a committee of the town of Providence to consult on fortifying Hog Pen Point". A week later the town of Rehoboth "voted it expedient to

fortify Hog Pen Point, and chose a committee to oversee the business". It is yet in a good state of preservation.

Thus was the town of Providence and its neighboring territory protected during those eventful days. Had the enemy ventured into these waters, he would have met with a warm reception from the guns which bristled on either side of the entrance to the port.

As early as 1700 a fort was located on Goat Island, in Newport Harbor. When this fort was built it was named Fort Anne; later it was changed to Fort George, then Fort Liberty, and afterwards called Fort Washington. It was the only fort in the Colony at the outbreak of the Revolution; and while not permanently garrisoned, a guard was maintained here; for it was well



equipped, mounting fifty guns, and its magazine held a large supply of powder. In 1774, owing to the aspect of affairs in the Colonies, it was considered advisable to remove its guns and ammunition to Providence. Later, however, in 1776, it was furnished with twenty-five guns, 18 and 24-pounders; and a garrison of fifty men was established, commanded by Capt. Samuel Sweet, with Daniel Vaughan first lieutenant and Ebenezer Adams second lieutenant.

The town of Newport unanimously voted at a town meeting held April 29, 1776, "to enter at once into the defence of the town"; and three days later a large body of the inhabitants repaired to Brenton's Point, the present location of Fort Adams, and erected there a fort, commanding one of the entrances to the harbor.

Additional light is shed upon the doings of the people of Newport, by a memorial prepared in June, 1776, during the recess of the General Assembly, "by such of the Members as could conveniently be immediately convened", to be sent to the Continental Congress, wherein it

is stated that the inhabitants of Newport "assembled in a full town meeting and unanimously voted to work upon the necessary fortifications, and to defend the Town, and immediately entered upon it with Vigour . . . . Three considerable works have been erected, . . . and the Town of Newport is now capable of being defended against all the Frigates in the British Navy. Fortifications are also making at Bristol Ferry and on the East side of Rhode Island, which when completed will effectually secure a communication with the Continent, and enable us to defend that most valuable Island".

But the confidence which the people of Newport had in the strength and value of these works to withstand "all the Frigates in the British Navy", was destined to be shattered; for a few months later every one of them was occupied by the enemy, without a shot being fired to resist their capture. Besides this fort at Brenton's Point, another work, which was called the North Battery, was built on the site of the present Fort Greene, at the end of Washington street. Across on the island of Conanicut, a battery was established at the Dumplings, of eight 18-pound guns.

Early in the month of January, 1776, the General Assembly ordered "that a number of men not exceeding fifty, be stationed at Warwick Neck, including the Artillery Company in Warwick; the remainder to be minutemen; that Col. John Waterman have the command, and appoint proper officers to act under him; that they continue there and be kept upon pay, until the enemy's fleet shall go down the river, and then be discharged, if his honor the Governor shall think proper".

A watch-house was ordered to be built on Cranston Neck or Long Neck, now called Pawtuxet Neck, twelve feet long and eight feet wide, for the accommodation of the guard stationed at the fort. Here was located a battery of two 18-pound guns. The works at Pawtuxet and at Warwick Neck have entirely disappeared.

Upon the arrival of the enemy's fleet in Newport harbor, William Ellery wrote to Governor Cooke: "There ought to be a good redoubt at Warwick Point. If they attack Providence it will be by land. They will pass up the bay to Warwick Neck perhaps, then land and march to the town". A substantial work was therefore erected, and from time to time detachments of the minutemen or alarm companies in the county were ordered to report there for duty.

In addition to the fort at Warwick Neck, a system of intrenchments was laid out along the northerly side of the old road leading from Apponaug to Old Warwick, near the head of Brush Neck Cove and Horse Neck. Portions of this line of works may still be seen, fringed with a growth of cedars, which may serve to identify their location. These were thrown up by the troops at this station in the latter part of 1776.

In December of that year Gen. Francois Lellorquis de Malmedy, a



French officer, who had been recommended to the State authorities by General Lee, and had been appointed "Chief Engineer and Director of the works of defence in this State", made an examination of the several points along the Narragansett shore, and in a letter to General Lee, dated the 20th of this month, referring to the position of Warwick and its defenses, says: "I there found some works begun. I thought it my duty not to oppose the desire of the commandant. We have, therefore, continued to prolong them, with some regularity, adapted to the ground".

General Malmedy was not impressed with the value of this line of works at Warwick. In fact, he did not lay much importance in defending this point at all. "It is mere folly to attempt to defend it", he says; for "in case the enemy make a descent in its neighborhood, they can land at Warwick Neck and arrive in Providence in four hours". It was his belief, although he did not claim to be a military engineer, that Pawtuxet, not Warwick Neck, was the place at which

FORT ON (BEACON HILL) TONOMY



defenses should be raised, for here he believed the enemy would land, if an attack was to be made against Providence; he, therefore, recommended that a body of troops be assembled at Pawtuxet, and that a quantity of fascines be procured to use in building works.

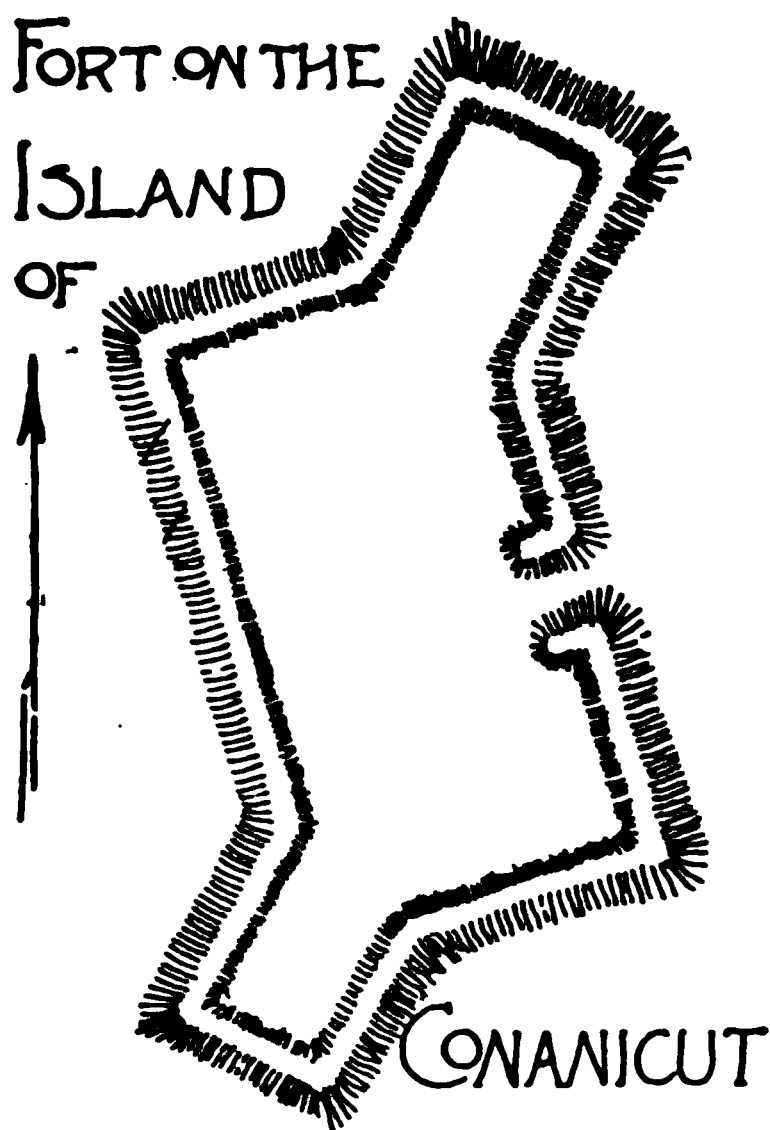
In February, 1776, Deputy-Governor Bradford, William Ellery, John Mathewson, Henry

Marchant, and Gideon Marchant were appointed a committee "to cause fortifications to be erected, as soon as possible, upon Rhode Island and at Bristol, sufficient to command and keep a communication at Bristol Ferry". The troops stationed at Bristol and on Rhode Island were employed in this work. These fortifications were at each end of Bristol Ferry, and the one on the island can, even now, be easily distinguished. A fort was erected, commanding this ferry, on the high land at Tiverton, which has since borne the name of Fort Barton. Its outlines are even now well defined.

This committee also recommended that a fort be erected on Tonomy Hill by Colonel Putnam, "according to his best skill and judgment," and another on the Bristol side of Bristol Ferry "at the place selected by Col. Putnam". The high land at the northern part of Newport is called Tonomy Hill, and consists of two spurs or hills, one of which—the highest—is now called Tonomy Hill, while the other is known as Beacon Hill. Fortifications are still remaining on each. It was on

the lower spur that the Tonomy Hill beacon was built in 1776. The exact spot selected for the Bristol work is not known. A map of the operations on Rhode Island shows two works at this point, one on the high land north of where the lighthouse now stands, while another was nearer the water, under the hill.

Action had been taken by the town authorities at Bristol some months before the committee of the General Assembly made its report. On December 12, 1775, it was "voted, that some intrenchments be made near the harbor in this town to prevent the enemy from landing". William Bradford, Simeon Potter, Benjamin Bosworth, and Jeremy Ingraham were appointed a committee to build these works. They were constructed "along the shore, extending south from the foot of



State Street, down as far as the foot of Burton Street, near Richmond's wharf. They were composed of a wall five feet high, built of turf and stones, filled up on the inside with loose earth and small stones."

Across the bay at East Greenwich was another fort called Fort Daniel. This, says Wanton Casey of that town, who was one of the charter members of the Kentish Guards, was built by that organization "to prevent the boats from the British fleet getting into the harbor". It "had eight or ten guns mounted", and a guard was maintained here during the whole time that the British were encamped within the State. From the Colony records it appears that nine guns were mounted at this fort.

In May, 1776, a fort was ordered built "at Beaver Tail, on Conanicut, to contain six or eight heavy cannon", while a coast-guard was established at Point Judith, Seaconnet Point, Westerly at Watch Hill, Charlestown, at the South Ferry in South Kingstown, and at North Kingstown.

Before the close of the year 1776 the whole shore of Narragansett Bay was well protected. The order of the general assembly, establishing artillery companies in all the seaboard towns, had been complied with, and for the protection of these batteries breast-works had been thrown up at Barrington, Nayatt Point, Quidnesset, Wickford, Boston Neck, Watch Hill, Noyes's Neck, and at Point Judith, while, besides the more formidable works already re-

ferred to, there was a battery at Popasquash Point of six 18-pounders, and another substantial work at Bullock's Point. When and under whose direction these latter were built, a persistent investigation has failed to discover.

In May, 1778, soon after the British attack on Warren, fortifications were erected on Burr Hill, in that town, "upon the west end of the second hill from the north", and a guard was maintained here both night and day during the remainder of the war. Nothing remains to-day of these fortifications.

The arrival of the British army at Newport in December, 1776, produced the greatest consternation through the State; the fortifications along the shore were manned, and the whole State "became a vast camp confronting the enemy".

The British at once commenced to strengthen the works which had fallen into their hands, and to build additional defenses. A redoubt was thrown up on the east side of the island, at Fogland Ferry, another on the west side of the island, on the south side of Lawton's Valley, while a formidable work was erected on Butt's Hill, near the north end of the island. Upon the completion of these, "they intrenched Newport with a strong, continuous line, which ran northerly along the crest of the height rising above the right bank of the inlet at Easton's Pond, then turned westerly towards Tonomy Hill, and continued north of this height to Coddington's Cove". The forts which the American army was forced to abandon at Tonomy Hill were strengthened, and a heavy battery was erected at Coddington's Point.

On the high land near the Stoddard place, a few rods south of the Bristol Ferry House, in a field off from the road to Stone Bridge, the outlines of the Bristol Ferry fort may still be seen. The plough has done much to obliterate this work, for the land on which it is located has been under cultivation for many years. It was erected, in 1776, by the troops stationed here in conjunction with those at the other end of the ferry.

A fort was erected on Tiverton Heights, called Fort Barton, and another on Gould Island called the "Owl's Nest". Gould Island is the little wooded island south of Stone Bridge.

On the north part of the island, at Butt's Hill, was a formidable work. The center work at this point is by far the most imposing and best preserved of those at the north end of the island. The embankments and ditch, with traces of ravelins, are even now well preserved. In 1848 the ruts made by the heavy wheels of the cannon, says Lossing, were then clearly visible. This fort was constructed on a rocky ledge, which has done much to preserve its ancient appearance. Nothing remains of the other fortifications which were a part of the Butt's Hill system.

In 1781 a battery was erected on Hallidon Hill, "as this height com-



A CORNER OF BUTT'S HILL FORT, PORTSMOUTH  
LOOKING TOWARDS TIVERTON HEIGHTS.

manded at short artillery range all the batteries at Brenton's Point and on Goat Island". This fort was first called Fort Chastellux, "after the Chevalier de Chastellux, one of Rochambeau's *Mareschaux des Camps*"; after the Revolution it was called Fort Harrison, being on the Harrison farm; and later it was called "Fort Denham, from some local association". General Cullum, in his work on the Defences in Narragansett Bay, says that in 1884 a portion of this fort was situated in front of the Thorp cottage (between Berkley and King streets), while yet another work was visible on the "Ocean drive" near the southwest extremity of the island, toward Castle Hill; both have since disappeared.

To the west of Newport on Conanicut was located, in 1777, the Dumplings Rock battery, having an armament of eight 18-pound guns.

Across the west passage on the mainland in South Kingstown, at what is called Bonnet Point, was an earthwork called the Bonnet Battery; this was thrown up during the years 1777 and 1778, about the time the forts on Conanicut were built. It was an elliptical work and can be seen there to-day. It was continuously occupied by Rhode Island troops.

Nearly three years before the Concord and Lexington fight there was enacted within the borders of Rhode Island one of the most audacious and determined acts of resistance to British tyranny and oppression that had yet found expression among the sturdy colonists of America. Low mutterings of resentment against the outrages inflicted by the British crown had for a long period been indulged in by all classes, but without resort to force, save that of argument. With no hope that their grievances would be noticed, and seeing their position growing more and more unbearable, it is no wonder that the men of Providence took into their own hands the only remedy left for redressing their wrongs, and, on the night of the 9th of June, 1772, applied the torch to His Britannic Majesty's schooner *Gaspee* and spilled the first blood in that sanguinary conflict for American independence.

The British schooner *Gaspee* of eight guns, commanded by Lieut. William Dudingston, accompanied by another vessel, the *Beaver*, arrived in Narragansett Bay in March, 1772. Her mission in these waters was "to prevent breakers of the revenue laws, and to stop the illicit trade, so long and so successfully carried on in the Colony".

The commander of the *Gaspee* immediately upon taking command of the station proceeded to exercise his authority in a most high-handed and obnoxious manner. He overhauled all vessels sailing up and down the bay, not even excepting market boats, subjected them to search without showing the slightest authority for so doing, and even went so far, it is said, as to molest and plunder people on shore.

The Providence Gazette, on March 28, mildly referred to these depredations by the following item in its column of Providence news :

“A number of men belonging to the armed Schooner that has been for some time past cruising in the River interrupting the traders, firing on Oyster boats &c. we are told landed on the Narragansett Shore a few days since & carried off several Hogs belonging to the inhabitants, and also a Quantity of Fire wood.”

Seizures made by the Gaspee within the bay were sent “to Boston for trial, contrary to an act of Parliament, which required such trials to be held in the Colonies where seizures were made”. Shortly after the Gaspee had commenced her high-handed and illegal proceedings, complaints began to pour in upon the deputy-governor, Darius Sessions, who, desiring to be informed as to the real authority of this British commander in taking charge of the navigable waters of the State, which action, to say the least, was questionable, submitted the matter to Chief Justice Hopkins for an opinion. The opinion came, concise and clear, “that no commander of any vessel has a right to use any authority in the body of the Colony, without previously appearing to the governor and showing his warrant for so doing, and also being sworn to a due exercise of his office”. Upon receiving this reply, the deputy-governor communicated the facts to Governor Wanton, detailing at some length the annoyances to which shipmasters in the bay were subjected. A long correspondence between Governor Wanton and Dudingston ensued, resulting in all of the letters which had passed between them being sent to Admiral Montague, commanding the British fleet at Boston.

But the authorities in Rhode Island had little to expect from the British admiral; he naturally took sides with the commander of the Gaspee, and replied to the governor, “that he [Dudingston] has done his duty and behaved like an officer and it is your duty as a governor to give him your assistance and not endeavor to distress the King’s officers for strictly complying with my orders. I shall give them directions, that in case they receive any molestation in the execution of their duty, they shall send every man so taken in molesting them to me. I am also informed, the people of Newport talk of fitting out an armed vessel to rescue any vessel the King’s schooner may take carrying on an illicit trade. Let them be cautious what they do, for as sure as they attempt it and any of them are taken I will hang them as pirates”.

Governor Wanton replied to the British admiral in a dignified and spirited manner, and assured him that he did not receive instructions for the administration of the affairs of the Colony from the king’s admiral stationed in America. The whole controversy had now assumed such proportions that the governor thought it advisable to bring the matter before the General Assembly of the Colony, and he

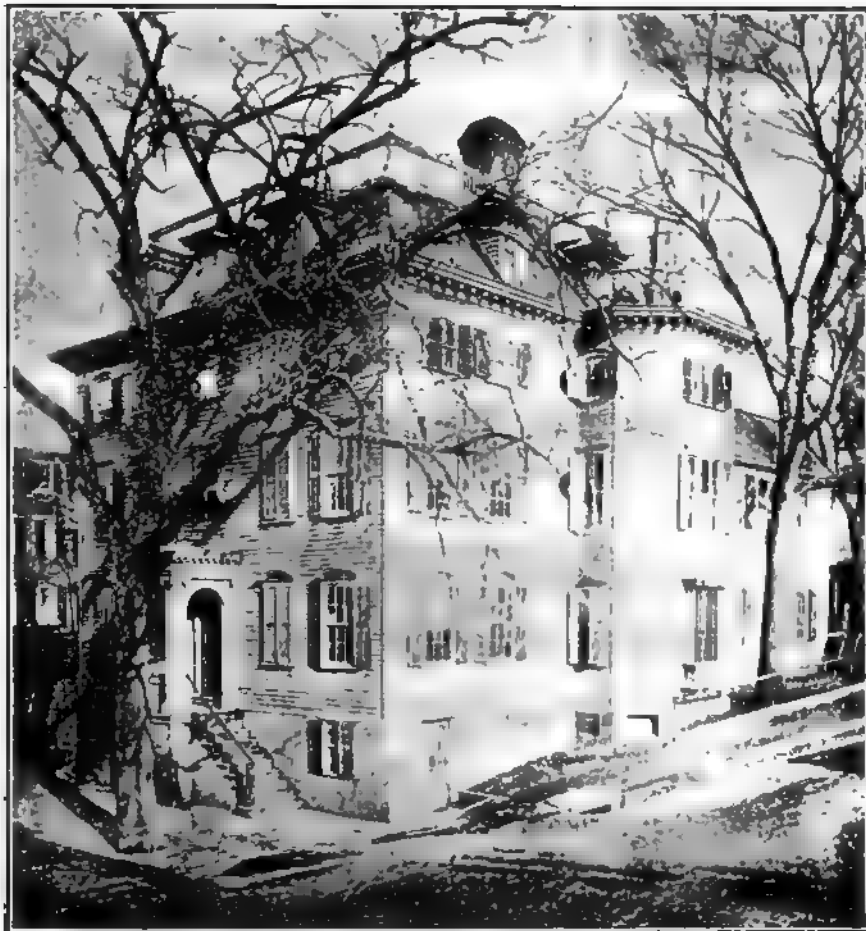


therefore transmitted the whole correspondence, with a recital of the troubles, to that body, and a vote was passed at the May session of the Legislature that "His Honor the Governor be requested to transmit to the secretary of state [the Earl of Hillsborough] a narration" of the affair, together with a copy of the admiral's letter. Meanwhile the Gaspee controversy was the subject of the most intense excitement throughout the Colony, but it could not compare with what was about to follow. All of this correspondence and controversy had occupied the time between March 21 and May 20, 1772, the date of the letter sent to the Earl of Hillsborough. The next step in the matter was a memorable one.

On the 8th of June the sloop Hannah, a vessel plying between Providence, Newport and New York, commanded by Benjamin Lindsay, arrived in Newport homeward bound, entered at the custom house and the next day started up the bay to Providence. She left Newport about noon with the wind at the north, and was soon sighted by the Gaspee, which immediately gave chase. The pursuit was continued as far as Namquit Point, now called Gaspee Point, situated in Warwick, about seven miles below Providence, and projecting from a part of the Spring Green farm belonging to the heirs of the late John Brown Francis. Here, on account of the strategy of the captain of the Hannah in leading his pursuer, the Gaspee stuck hard and fast in the sand and the chase ended. The Hannah continued on her course up the river to Providence, where she arrived about sunset and tied up to her wharf. What followed her arrival is best told in the language of one of the party engaged in the affair which took place that night. On the 29th of August, 1839, Col. Ephraim Bowen, the last survivor of the Gaspee party, then in his eighty-sixth year, prepared a narrative of the affair, in which he says:

"Lindsey continued on his course up the river, and arrived at Providence about sunset, when he immediately informed Mr. John Brown, one of our first and most respectable merchants, of the situation of the Gaspee. He immediately concluded that she would remain immovable until after midnight, and that now an opportunity offered of putting an end to the trouble and vexation she daily caused.

"Mr. Brown immediately resolved on her destruction, and he forthwith directed one of his trusty shipmasters to collect eight of the largest long boats in the harbor, with five oars to each; to have the oars and row locks well muffled, to prevent noise, and to place them at Fenner's wharf, directly opposite to the dwelling of Mr. James Sabin, who kept a house of board and entertainment for gentlemen". The wharf thus indicated was located at what is now the corner of Planet street and South Water street. When the substantial building which now occupies this site was erected the crib work of this rendezvous was uncovered and removed to make place for the foundation



**THE SABIN TAVERN,  
FORMERLY LOCATED ON SOUTH MAIN STREET, PROVIDENCE. IN ONE OF THE ROOMS  
OF THIS HOUSE THE PARTY MET TO ORGANIZE THE EXPEDITION WHICH DESTROYED  
THE "GASPEE".**

walls. "About the time of the shutting up of the shops, soon after sunset, a man passed along the main street, beating a drum, and informing the inhabitants of the fact that the Gaspee was aground on Namquit Point, and would not float off until three o'clock the next morning; and inviting those persons who felt a disposition to go and destroy that troublesome vessel, to repair in the evening to Mr. James Sabin's house. About nine o'clock I took my father's gun, and my powder horn and bullets, and went to Mr. Sabin's, and found the southeast room full of people, where I loaded my gun, and all remained there till about ten o'clock, some casting bullets in the kitchen, and others making arrangements for departure, when orders were given to cross the street to Fenner's wharf, and embark; which soon took place, and a sea captain acted as steersman of each boat; of whom, I recollect Capt. Abraham Whipple, Capt. John B. Hopkins (with whom I embarked), and Capt. Benjamin Dunn. A line from right to left was soon formed, with Capt. Whipple on the right, and Capt. Hopkins on the right of the left wing.

"The party thus proceeded, till within about sixty yards of the Gaspee, when a sentinel hailed, 'Who comes there?' No answer. He hailed again, and no answer. In about a minute Dudingston mounted the starboard gunwale, in his shirt, and hailed 'Who comes there?' No answer. He hailed again, when Capt. Whipple answered as follows:

" 'I am the sheriff of the county of Kent, G—d d—n you. I have got a warrant to apprehend you, G—d d—n you; so surrender, G—d d—n you'.

"I took my seat on the main thwart, near the larboard row lock, with my gun by my right side, facing forwards.

"As soon as Dudingston began to hail, Joseph Bucklin, who was standing on the main thwart, by my right side, said to me, 'Eph, reach me your gun, and I can kill that fellow.' I reached it to him accordingly; when, during Capt. Whipple's replying, Bucklin fired, and Dudingston fell; and Bucklin exclaimed, 'I have killed the rascal'.

"In less than a minute after Capt. Whipple's answer, the boats were alongside of the Gaspee, and boarded without opposition. The men on deck retreated below as Dudingston entered the cabin.

"As soon as it was discovered that he was wounded, John Mawney, who had for two or three years been studying physic and surgery, was ordered to go into the cabin, and dress Dudingston's wound, and I was directed to assist him. On examination, it was found the ball took effect about five inches directly below the navel.

"Dudingston called for Mr. Dickinson to produce bandages and other necessaries for the dressing of the wound, and when finished, orders were given to the schooner's company to collect their clothing, and everything belonging to them, and put them into their boats, as all of them were to be sent on shore.

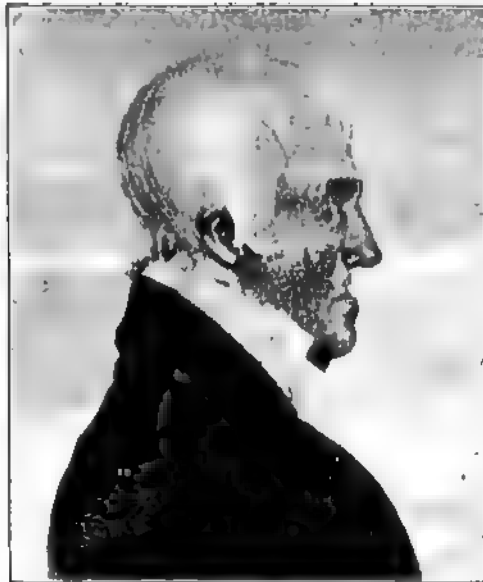
"All were soon collected, and put on board of the boats, including

one of our boats. They departed, and landed Dudingston at the old Still house wharf, at Pawtuxet, and put the chief into the house of Joseph Rhodes. Soon after, all the party were ordered to depart, leaving one boat for the leaders of the expedition; who soon set the vessel on fire, which consumed her to the water's edge''.

Continuing his narrative Colonel Bowen gives the names of some of his associates on this memorable night, but he remembered but few; sixty-seven years had elapsed, and old age had dimmed the memories of that night when but a boy he joined the Gaspee party. The "most conspicuous actors", he says, were "Mr. John Brown, Captains Abraham Whipple, John B. Hopkins, Benjamin Dunn, and five others whose names I have forgotten"; his "youthful companions" were "John Mawney, Benjamin Page, Joseph Bucklin and Turpin Smith".

Some years before Colonel Bowen prepared his account of this affair John Mawney published, in the Providence American and Gazette, a statement of his recollections of the night's work. He heard the drummer passing through the streets and attracted by this, he repaired to the Sabin tavern and learned the object of the expedition, and after some urging agreed to go as surgeon of the party. He says: "I went to Corlis wharf, with Capt. Joseph Tillinghast, who commanded the barge, it being the last boat that put off; and in going down we stopped at Capt. Cooke's wharf, where we took in staves and paving stones; which done, followed our commander, and came up with them a considerable distance down the river; after which, we rowed along pretty rapidly till we came in sight of the schooners, when Capt. (the late Commodore) Whipple ordered us to form a line, which was instantly complied with; after which, we rowed gently along, till we got near the schooner; when we were hailed from on board, with the words, 'Who comes there?' Capt. Whipple replied, 'I want to come on board'. The reply was, 'Stand off, you can't come on board'. On which Capt. Whipple roared out, 'I am the sheriff of the county of Kent; I am come for the commander of this vessel and have him I will dead or alive; men, spring to your oars!' when we were in an instant on her bows. I was sitting with Capt. Tillinghast, in the stern of the barge, and sprang immediately forward; and seeing a rope hang down her bows, seized it to help myself in. The rope slipping, I fell almost to my waist in the water; but, being active and nimble, I recovered, and was the first of our crew on deck, when Simeon H. Olney handed me a stave, with which, seeing one that I took to be of the crew of the schooner, floundering below the windlass, I was in the attitude of leveling a stroke, when he cried out, 'John, don't strike'. Being very intimately acquainted with Capt. Samuel Dunn, I knew his voice, left him, and sprang back of the windlass, where there was commotion and noise, but which soon subsided; the crew jumping down the hold, I immediately followed, when

I ordered them to bring cords to tie their hands, and told them they should not be hurt, but be sent on shore. They brought some tarred strings, with which I tied the hands of two behind, when John Brown, Esq., called to me saying I was wanted immediately on deck, where I was instantly helped. When I asked Mr. Brown what was the matter, he replied, 'Don't call names, but go immediately into the cabin; there is one wounded and will bleed to death'. I hastened into the cabin, and found Lieut. Dudingston in a sitting posture, gently reclining to the left, bleeding profusely, with a thin, white woollen blanket, loose about him, which I threw aside, and discovered the effect of a



CAPT. JOSEPH TILLINGHAST,

One of the party participating in the destruction of H. M. S. Gaspee, June 10, 1772.  
From an old painting in the possession of Benj. C. Gladding, Esq., of Providence.

musket ball in the left groin; and thinking the femoral artery was cut, threw open my waistband, and taking my shirt by the collar, tore it to my waistband, when Mr. Dudingston said, 'Pray, sir, don't tear your clothes; there is linen in that trunk'; upon which I requested Joseph Bucklin to break open the trunk, and tear linen and scrape lint, which he immediately attempted; but finding the linen new and strong, could not make the lint''.

Continuing, Mawney describes with much detail the process of dressing the wound, and concludes by saying: "During the operation I was several times called upon at the door, but was not ready. When

the door was opened, many rushed in, and attacked the bottles. I having boots on, stamped on them, and requested others to assist, which was readily done. . . . When I came on deck, I saw Capt. Tillinghast, and some others. We got into the boat, and rowed up the river a certain distance, and went by land up to town, when Capt. Tillinghast, who was then living with me, after taking breakfast, went on the hill to view the smoking ruins of the vessel, which was all in flames soon after we left it''.

From a subsequent statement of Dr. Mawney, it appears that Lieut. Dudingston was not wanting in gratitude to his surgeon. After his wound was dressed he offered Dr. Mawney a gold stock buckle, as a testimonial of his gratitude. This was refused; but a silver one was afterwards offered and accepted, and worn by Dr. Mawney but a little while before his death.<sup>1</sup>

It was not until three days after the occurrence that any account appeared in the newspapers, but on the 13th the Gazette had a brief account of the affair. In those days journalistic enterprise had not developed to any great extent, no special edition was issued from the press, no reporter accompanied the expedition to write up all the details of the night's work, as would be done to-day, and it is doubtful if Editor Carter of the Gazette included all he was "told" in the following account which he published:

"Providence, June 13.

"Monday last a Sloop from New York arrived at Newport and after reporting her Cargo at the Custom House was proceeding up the River on Tuesday.

"The Gaspee, armed Schooner, then lying near Newport, immediately gave Chase to the Sloop, crowding all the sail she could make; but the People on Board, not being acquainted with the River, at Three o'Clock in the afternoon she ran on Namquit Point near Pawtuxet. About Twelve at night a great number of People in Boats boarded the Schooner, bound the Crew and sent them ashore, after which they set Fire to the Vessel and Destroyed her.

"A pistol was discharged by the Captain of the Schooner, and a Musket or Pistol from one of the Boats, by which the Captain was wounded, the Ball passing through one of his Arms, and lodging in the lower Part of his Belly. He was immediately taken to Pawtuxet and we are told is in a fair Way to recover.

"We hear that one Daggett belonging to the Vineyard, who had served the beforementioned schooner, as a Pilot, but at the time of her being destroyed, was on board the Beaver sloop of war, on going ashore a few days since, at Narragansett, to a sheep-shearing, was seized by the company, who cut off his hair, and performed on him the operation of shearing, in such manner, that his ears and nose were in imminent danger."

<sup>1</sup>Judge Staples's Documentary History, p. 101.



Long before this startling bit of news issued from the office of the Gazette the story was well known throughout the Colony, and even in the neighboring Colonies as well. Undoubtedly many other details of the affair were known, and to most of the readers of this periodical the impartial and inconsequential account published must have been greeted with profound respect for the editor who could treat so momentous an affair in so disinterested a manner.

The proceedings which followed this overt act were apparently of the most searching character. A proclamation was issued by the governor, offering a reward of £100 sterling "to any person or persons who shall discover the persons guilty" of the crime. This reward was subsequently increased by a royal proclamation to five hundred pounds, and five hundred pounds additional for the discovery and apprehension of the person "who acted or called themselves or were called by their accomplices the head sheriff or the captain". Notices to this effect were freely distributed throughout the towns in the Colony.

"The King's proclamation was posted on the pillar of the hay scales which then stood near the northeast corner of the Market house," the building now occupied by the Board of Trade. "It had not been there more than fifteen or twenty minutes when Mr. Joseph Aplin, a distinguished lawyer, came up to see what had collected the crowd. Lifting his cane he struck it down and it soon mingled with the filth of the street."

This proclamation of the king was soon followed by the appointment of a Royal Commission to inquire into the affair, consisting of Joseph Wanton, governor of Rhode Island, Daniel Horsmanden, chief justice of New York, Frederick Smythe, chief justice of New Jersey, Peter Oliver, chief justice of Massachusetts, and Robert Auchmurty, judge of the vice-admiralty court at Boston. This commission entered upon a strict inquiry concerning the whole affair. The commission and instructions were issued in September, 1772; in June, 1773, this august body made its report, in which it was stated that they were unable to discover any of the persons connected with the burning of the Gaspee.

And yet the details of the affair were generally discussed among the people and even incriminating correspondence passed between residents of the town and those of neighboring Colonies, for within two weeks from the day of this startling occurrence Solomon Drowne, jr., of Providence, wrote to his brother at Mendon, Mass., the following letter, which was doubtless sent by the public post:

"Providence, June ye 23rd 1772.

"Dear Brother:

"If I had no other motive to embrace this opportunity of writing to you, yet gratitude would oblige me. . . . Doubtless you have



By the Honorable JOSEPH WANTON, Esquire, Governor,  
(L. S.) Captain General, and Commander in Chief, of and over the English  
Colony of Rhode-Island, and Providence Plantations, in New-England,  
in America.

## A P R O C L A M A T I O N.



HEREAS on *Tuesday*, the ninth Instant in the Night, a Number of People, unknown, boarded His Majesty's armed Schooner the *Gasper*, as she lay aground on a Point of Land, called *Nonquit*, a little to the southward of *Providence*, in the Colony aforesaid, who dangerously wounded Lieutenant *William Dudington* the Commander, and by Force took him with all his People, put them into Boats, and landed them near *Providence*; and afterwards set Fire to the said Schooner, whereby she was entirely destroyed:

I HAVE, therefore, thought fit, by and with the Advice of such of His Majesty's Council, as could be seasonably convened, to issue this Proclamation, strictly charging and commanding all His Majesty's Officers within the said Colony, both Civil and Military, to exert themselves with the utmost Vigilance, to discover and apprehend the Persons guilty of the aforesaid atrocious Crime, that they may be brought to condign Punishment. And I do hereby offer a Reward of ONE HUNDRED POUNDS, Sterling Money of Great-Britain, to any Person or Persons who shall discover the Perpetrators of the said Villainy, to be paid immediately upon the Conviction of any one or more of them.

AND the several Sheriffs in the said Colony are hereby required, forthwith, to cause this Proclamation to be posted up in the most public Places, in each of the Towns in their respective Counties

*GIVEN under my Hand and Seal at Arms, at Newport, this Twelfth Day of June, in the Twelfth Year of the Reign of His Most Sacred Majesty, GEORGE THE THIRD, by the Grace of God, King of Great-Britain, and so forth, Annoq; Dom. One Thousand, Seven Hundred and Seventy-two.*

J. WANTON.

*By his Honor's Command,*  
HENRY WARD, Sec'y.

G O D S A V E T H E K I N G.

PROCLAMATION

ISSUED BY GOVERNOR WANTON FOR THE APPREHENSION OF THE "GASPER" CONSPIRATORS. REPRODUCED FROM THE ORIGINAL IN THE POSSESSION OF HOWARD W. PRESTON, ESQ., PROVIDENCE.

heard of the skirmish down the river, and of the burning of the armed Schooner, and badly wounding the captain; so I shall write no more concerning the affair (though I was on the wharf when the boats were manned and armed and knew the principal actors), lest it should be too much spread abroad; and perhaps you have seen the thundering proclamation in the newspaper, and the reward of £100 sterling offered to any person or persons who shall discover the perpetrators of the said villainy, as it is called.

“The clock strikes eleven. We take no notice of time but from its loss.. . .

“From your affectionate brother

“and sincere friend

“Solomon Drown junr.”

It is sometimes stated in the accounts of the destruction of the Gaspee that a boat containing a number of men from Bristol, under the leadership of Capt. Simeon Potter, took part in this expedition. This is apparently based upon the testimony given by one Aaron Briggs, a negro, before the King's Commission, on January 14, 1773, who testified with great minuteness to the part he took in the attack, being led to do so “by reason of illegal threats from Capt. Linzee of hanging him (the said Aaron) at the yard arm, if he would not discover who the persons were, that destroyed the Gaspee”. His testimony, however, was so conflicting that the commissioners placed no confidence in it, and stated in their report to the king that “most of the circumstances and facts related in both of his examinations, are contradictions repugnant to each other, and many of them impossible in their nature”. The testimony was also adduced that the negro Aaron was “a person much addicted to lying”. No further evidence than that of the lying negro has been found to give any ground for this belief that a boat's crew from Bristol took part in this affair.

The names of only a few of these who took part in the night's work have been handed down. In the different accounts which have from time to time appeared the following names have been ascertained: Capt. Samuel Dunn, Capt. Benjamin Page, Capt. Turpin Smith, Capt. John B. Hopkins, Joseph Bucklin, Captain Shepard, John Brown, Abraham Whipple, Ephraim Bowen, John Mawney, Captain Harris, Joseph Jencks, Justin Jacobs, Simeon H. Olney, Joseph Tillinghast.<sup>1</sup>

<sup>1</sup>This list contains more names than have hitherto been brought together; and for this reason the source from whence each was obtained will be useful in establishing its authenticity.

On all of the lists which have been prepared there appears the name of Benjamin Dunn. This name is found in the account prepared by Col. Ephraim Bowen, when he was in his eighty-sixth year. Bartlett, in his account of the affair, in R. I. Colonial Records, vol. vii, p. 72, gives a short biographical account of each of the persons named in Bowen's narrative, with the exception of Benjamin Dunn, which would lead to the conclusion that he could find no reference to such a person. Mawney, in his account, mentions a Capt. Samuel

Bartlett, in his account of the Gaspee affair, prepared from the Records of the Colony of Rhode Island and printed in the Colonial Records, vol. 7, concludes his account in these words, and no better conclusion can be made.

“We close this publication, with the remarks of Judge Staples, inasmuch as they contain the legal opinion of an eminent jurist, who had carefully examined the testimony; and who, as a diligent historian, is familiar with all the events connected with the Gaspee affair: In reviewing the report of the commissioners our surprise is not so much excited at the conclusion to which they came from the evidence before them, as at the small amount of testimony they collected. It would be doing great injustice to the memories and characters of Governor Wanton, Judges Horsmanden, Oliver and Auchmurty, to suppose that they suppressed any evidence, or did not exert themselves to the utmost to procure testimony. The course they afterwards took in the war of the revolution, when they joined the ministerial party in the country, is a sufficient guaranty that they were, by no means lukewarm in the service of His Majesty. They were surrounded, too, at the time of their sessions, by the officers of the crown, and individuals high in rank and standing, who were eager in the chase of those who insulted their sovereign, in the person of his representative, Lieut. Dudingston.

“Under these circumstances it is passing strange, that no persons could be found, who could indentify those engaged in the enterprise, or that the great reward offered on the occasion should not have induced some one to have turned informer. That the enterprise was suddenly conceived, there can be no doubt; but every circumstance shows, that no great care was used to preserve secrecy. They were called together by the beating of a drum in the streets. The collecting of boats, the assembling at a public house, the embarking from a public wharf, all must have attracted the notice of the inhabitants. Among them were some little conscious of the crime they were com-

Dunn, with whom he was “very intimately acquainted”, and a Capt. Samuel Dunn lived in Providence and died there in 1790; but the name of Benjamin Dunn does not appear upon the records of this period. It is quite reasonable to suppose that Colonel Bowen, in his old age, had forgotten the names of his companions in the affair, which occurred sixty odd years before, and thus perpetuated the name of a person who took no part in it. The names of Benjamin Page, Turpin Smith, John B. Hopkins, Abraham Whipple, Ephraim Bowen and John Brown, John Mawney and Joseph Bucklin are found in Bowen’s narrative. Those of Simeon H. Olney, Joseph Tillinghast, Joseph Bucklin, John Brown, Abraham Whipple, and Samuel Dunn are found in Dr. Mawney’s narrative. The name of Justin Jacobs appears in John Howland’s account in Stone’s life of Howland, while the names of Captain Shepard, Captain Harris, and Joseph Johnson appear in a list found in the preface to Catherine Williams’s life of Barton and Olney; where she obtained them is, of course, impossible now to determine, but she lived and wrote during the life-time of many of the men who were engaged in the war for Independence. Solomon Drown, jr., while not an active participant, certainly lent encouragement to it by his presence and sympathy.

mitting, and the penalty they were incurring. Mr. John Howland says, that on the morning after the affair Justin Jacobs, a young man, was parading himself on 'The Great Bridge', then the usual place of resort, with Lieutenant Dudingston's gold laced beaver on his head, detailing to a circle around him, the particulars of the transaction, and the manner in which he obtained the hat from the cabin of the Gaspee. It required sharp words to induce him to retire and hold his peace. There were others, probably equally indiscreet; and yet not an individual could be found who knew anything about the affair."

For many years after the war four of the survivors of the Gaspee party occupied a prominent place in the parades; on the Fourth of July they rode in a coach, carrying a silk banner on which was inscribed their names, Turpin Smith, Ephraim Bowen, Benjamin Page, and John Mawney. This old, faded and tattered banner is preserved in the collection of the Rhode Island Historical Society. This society has also obtained a silver goblet, which was taken from the Gaspee by Abraham Whipple on the morning of June 10, 1772, a gift from Mr. David Fisher, of Kalamazoo, Mich., a descendant of Com. Whipple; this interesting relic has "passed through the hands of three of his descendants" and has never been out of the family until now. This is the only relic of the affair of that June night that is known to exist. In 1840, during the Harrison and Tyler campaign, a log cabin was built on the lower part of the lot on College street where the court house now stands. In this cabin were displayed several canes made of timber that came from the schooner Gaspee, contributed by Ephraim Bowen. Perhaps some of these may yet be preserved.

Early in December, 1776, Job Watson, from his watch tower on Tower Hill, saw far out on the ocean the dread object for which he had been watching so long. The news that a squadron of vessels was headed toward Narragansett Bay was hurriedly sent through the Colony. The alarm companies assembled at their stations, and excitement ran high. On Saturday, the 7th day of December, "the British fleet of eleven vessels of war, convoying seventy transports, having on board six thousand troops", sailed into Narragansett Bay, up the west passage, around the north end of Conanicut Island, and anchored in Newport harbor.

As soon as the intelligence of the arrival of the British fleet, and their occupation of the island of Rhode Island, reached Governor Cooke at Providence, he dispatched a letter to General Washington, apprising him of the threatening situation in Narragansett Bay. It was dated at "Providence, December 8, 1776, Past 10 o'clock P. M.". It had been a day of trouble and anxiety to the people of Rhode Island. Messengers had brought to the governor the latest accounts of affairs on the island, and now, well into the night, he wrote:

"Sir:—It is with great concern, I give you the disagreeable intelli-

gence that the enemy with a fleet consisting of seventy-eight ships of war and transports, entered the harbor of Newport yesterday.

“We had about six hundred men upon Rhode Island, who were obliged to evacuate it, with the loss of about fifteen or twenty heavy cannon; having taken off the ammunition and stores, and the greatest part of the stock. The enemy have full possession of the island.

“I am informed by General West and Lieutenant Baron, of the Providence, that they landed this morning about eight o’clock, with eight thousand men, who marched in three divisions; one towards Newport, the second towards Howland’s Ferry and the third to Bristol Ferry; where they arrived time enough to fire upon the boats that brought over our last men, but without doing damage.

“I have sent repeated expresses to the Massachusetts Bay and Connecticut.

“The forces of the former are upon the march as I believe the latter, also.

“In great haste  
“I am your Excellency’s most obedient  
“humble servant  
“Nicholas Cooke.”

Sunday morning the troops, under the command of Sir Henry Clinton, disembarked, part of them landing at Long Wharf, in Newport, while the main body of the army landed in Greensdale, in Middletown, near the residence of the Hon. Nathanael Greene, a grandson of General Greene. The island of Rhode Island was now practically in the hands of the enemy. That Sunday night was devoted to excesses of the wildest kind, for the soldiers celebrated their first hours ashore in revelry and pillage. Many of the islanders hurriedly left their homes, taking only such personal effects as they could conveniently get together, while those who remained were subjected to all manner of abuse and insults, and were compelled to take into their homes the officers of the king’s regiments.

The arrival of the British fleet at Newport produced the most intense excitement in Providence. A town meeting was immediately convened “by warrant on Sabbath Day morning, December 8th, 1776”, and the following preamble and resolution adopted, Stephen Hopkins being moderator:

“Whereas, a large body of the Enemy have arrived in the Narragansett Bay and it is probable soon intend to attack this Town, and in order that proper defence may be made it is Voted That the Hon. Stephen Hopkins, Esq., Col. Joseph Nightingale, Col. James Angell, and Mr. Sumner be and they are hereby appointed a Committee to Examine the most suitable places for Erecting and making proper Batteries and intrenchments for the defence of the Public against the Enemy”. They were directed to notify the governor as soon as they



had decided where such works should be built, that he might order the troops immediately to begin the work. It was further voted that every male inhabitant of sixteen years of age and upward assemble at the Court House Parade at three o'clock the same day, armed and equipped for active service.

And that Sabbath morning the inhabitants of Providence were aroused to the alarming situation of the Colony, by hearing the town crier with his bell, and the town sergeant with his drum, as they hurried through the streets of the town, hoarsely announcing that the enemy was within the borders of the State and their homes and lives were in danger.

The utmost activity was now necessary to guard against any surprise or attack on the town. The militia was constantly on duty, and steps were taken to put the town in the best possible position for defense. The State troops were posted at various points along the shores of Narragansett Bay, and a constant watch was kept upon all movements of the enemy.



GEN WILLIAM BARTON,  
The Captor of Gen. Prescott.

In the month of June, 1777, a regiment of Rhode Island troops, under the command of Colonel Stanton, was stationed in the town of Tiverton, almost opposite the northern end of the island of Rhode Island. With this regiment was Major William Barton, a young officer, belonging in the town of Warren.

About a year previous to this, when the British ships, under the command of Wallace, had been annoying and pillaging the unprotected settlements along the Bayside, Barton was stationed at Newport. Here he remained until the arrival of the British army, when it became necessary for him to withdraw with his command and take up his station at Tiverton. Shortly after his arrival here he received his commission as major in Stanton's regiment. His stay at Newport had enabled him to thoroughly familiarize himself with the island and its surroundings, and the information thus obtained was destined to be of the greatest use to him, as subsequent proceedings will show.

In December, 1776, Gen. Charles Lee, of the American army, who had been for a short time commander-in-chief of the Rhode Island

department, while passing from the Hudson to join Washington on the Delaware, had been surprised, near Baskinridge in New Jersey, by a British scouting party and captured, and at the time when Barton was stationed at Tiverton was still a captive in the hands of the enemy. Barton was an ardent admirer of General Lee, having doubtless come in contact with him while Lee was stationed in Rhode Island, and he entertained for him a very high opinion; he felt the disgrace keenly, that so eminent an officer should be forced to remain a prisoner on account of there being no one of so high a rank in the hands of the American forces for whom Lee could be exchanged.

It was not until nearly a century had expired that the true character of Lee became known. Barton shared the same opinion that was held by many at the time and regarded him with the highest admiration, and thus it came about that the act which brought Barton undying fame was induced by a desire to rescue from captivity "the most



PHOTOGRAPHIC REPRODUCTION OF THE TWO SIDES OF A MEDAL STRUCK UP IN COMMEMORATION OF THE BRITISH OCCUPANCY OF RHODE ISLAND.

These medals are of brass and are said to have been made in Holland. From the original in the collection of Mr. George T. Paine of Providence.

worthless character which the Revolution brought to notice." If, in assigning a place in history to those whose perfidy and baseness are their only claims to recognition, then in writing the name of Lee it must precede that of Arnold. The more Barton thought of this matter the more feasible appeared a scheme which he had at different times considered, of surprising the British General Prescott, in command of the English forces at Newport, and making a prisoner of him.

At this time Prescott frequently visited the house of a man named Overing, about five miles above Newport, on the west road leading to Bristol Ferry, and Barton's plan was to cross Narragansett Bay from the mainland, seize Prescott and carry him to the American camp.

Not long after Barton had formulated the plan a man named Coffin made his escape from the Island and was brought to Barton's headquarters. From him Barton obtained many details regarding the location of the Overing house and the number of men whom Prescott

had with him for protection. The information thus obtained fully decided him to carry out the project. As secrecy was the greatest element of the success of such an undertaking, he kept the matter to himself for some days, but at last he went to Colonel Stanton and unfolded his plan to him. This officer was greatly impressed and assured him that it was worthy of being undertaken; he further agreed to furnish him such aid as he could give him.

Upon returning to his quarters he summoned a few of his confidential friends among the officers and confided in them the existence of a plot involving a secret expedition, the details and object of which he declined to tell them. At this council were Colonel Stanton, Capt. Ebenezer Adams, Capt. Samuel Phillips, Lieut. James Potter, Lieut. Joshua Babcock, and John Wilcox. Barton asked if they had sufficient confidence in him to be willing to undertake this expedition without having anything further told them, and all assured him they had. This much, however, he did tell them, that it was necessary for the purpose of the mysterious affair that five whale boats be provided. In a few days these were obtained and the only thing now needed was men.

By the colonel's orders, the regiment was ordered paraded. Barton then addressed his soldiers, telling them he was about undertaking an expedition against the enemy and wished to have forty volunteers; he desired those who were willing to risk their lives with him to advance two paces. At this it is said the whole regiment advanced. To Barton this must have been a beautiful expression of their confidence in him, for none knew the nature of the work before them.<sup>1</sup> With such a body of willing and fearless men it was a small task for Barton to select his company, and this he did, picking out those most proficient in the handling of boats.

The names of those who were selected and comprised the party were as follows: Capt. Ebenezer Adams, Lieut. Andrew Stanton, Lieut. John Wilcox, Lieut. Samuel Potter, Joshua Babcock, Samuel Phillips, Benjamin Prew, James Potter, Henry Fisher, James Parker, Joseph Guild, Nathan Smith, Isaac Brown, Clark Packard, Samuel Cory, James Weaver, Clark Crandall, Sampson George, Joseph Ralph, Jedediah Glenale, Richard Hare, Daniel Wale, Joseph Dennis, Billington Crumb, James Haines, Samuel Apis, Alderman Crank, Oliver Simmons, Jack Sherman, Joel Briggs, William Bruff, Charles Hewitt,<sup>2</sup> Pardon Cory, Thomas Wilcox, Jeremiah Thomas, John Hunt, Thomas Austin, Daniel Page, an Indian; Jack or Tack Sisson, negro; Howe or Whiting, boat steerer.

There seems to be some ground for the belief that Sergeant John

<sup>1</sup> Life of Barton and Olney; Williams.

<sup>2</sup>For a more extended notice of this soldier, see Magazine of New England History, vol. 1, p. 216.

Paul, of Col. Topham's regiment, was also a member of this party, and the evidence of this is found in a carefully prepared pamphlet by Edward J. Paul, printed in Milwaukee, 1887, and reprinted in the Magazine of New England History, vol. I, p. 98.

Everything being now in readiness, Col. Stanton handed to Barton the following order, the original of which is yet preserved among the manuscripts in the possession of the Rhode Island Historical Society:

"Headquarters Camp at Tiverton.  
"5th July 1777

"Lieut. Col. Barton,

"You will proceed to the Island of Newport and attack the Enemy when and where you think proper and make Report to me of your proceeding

"Jos: Stanton Jr. Colo."

Head Quarters Camp at Tiverton 5th July 1777  
Lieut Colo Barton  
You will proceed to the Island of  
Newport, and attack the Enemy  
when and where you think proper  
make Report to me of your proceeding  
Jos: Stanton Jr. Colo

- ORDER ISSUED TO WILLIAM BARTON BY COL. STANTON FOR THE EXPEDITION RESULTING IN THE CAPTURE OF PRESCOTT.

From the original in the possession of the Rhode Island Historical Society.

On the night of the 5th of July the party was assembled and embarked from Tiverton and rowed out into Mount Hope Bay. Hardly had they entered this sheet of water before a violent thunder shower broke upon them. The wind blew with great violence and the boats became separated. It was not until late in the evening of the next day that the party again came together at Bristol, where they had agreed to meet if anything should occur to interfere with their plans. Here they decided to spend the night, but before retiring, Barton assembled his men in the boats and the party rowed down to Hog Island, a little island lying off Bristol Ferry and just beyond to the

south of Popasquash Point. Upon landing, the party was called together and Barton explained the nature of the expedition. The men were astonished at the boldness of the plan, but not one of them wished to be released from his engagement. Then they returned to Bristol, where they all remained until the next evening, when, under cover of darkness, they crossed the bay and landed at Warwick Neck. For fear that the enemy's ships, in cruising about the bay, would notice the unusual number of boats, they were drawn up on the shore and hid in the bushes. At Warwick Neck the expedition was delayed for several days on account of a storm, but on the evening of the 9th of July the boats were got in readiness and the party embarked on their perilous undertaking. Before pushing off from the shore Barton collected his men and appointed each one to his station. To every boat there was a commissioned officer, exclusive of the commander himself. The party consisted of forty-one men. "In a subdued voice the Colonel gave his orders, First that they were to preserve the strictest order; secondly, not to have the least idea of plunder; thirdly, to observe the most profound silence; and, fourthly, to take no spirituous liquors with them". He spoke a few words on the hazard attending the work before them, and pledged himself to share every danger, whatever it might be, equally with his soldiers. Then with muffled oars the five boats containing this daring party pushed out into the darkness of the night.

Before leaving, arrangements had been made with the commandant of the Warwick Neck post that a sharp lookout be kept after the expedition started, for it was expected that in the event they were discovered, boats might be sent from the British men-of-war to cut them off from reaching the mainland. In case anything should occur to interfere with the plans laid out, it was arranged that three shots should be fired, and upon hearing this a party should immediately put off from the Neck and go to the north end of Prudence Island and take them off.

The boat containing Barton took the lead, and to distinguish it from the others a pole was set up on which was tied a white handkerchief. Barton laid his course between Prudence and Patience islands in order to avoid the enemy's ships, which lay near Hope Island, and continued southward hugging the western shore of Prudence Island; while turning the southern extremity of Prudence Island they came near enough to the British ships, the Lark, Diamond and Juno, which lay on the eastern side of Prudence, for them to hear the sentinels cry "All's well". Fortunately, however, they were not discovered. The boats arrived within about three-quarters of a mile of the Island of Rhode Island, when the party were startled by hearing a noise like the running of horses. They rested on their oars, but the sound ceasing and no other demonstration being made, the order was given to

pull ahead. It was not many moments before the boats grated on the beach and the company silently disembarked. A man was left with each boat with instructions to have them ready to push off in case any break in their plans should occur.

The Overing house, where Prescott was quartered, is just a mile from the shore. As you approach the house there is a little brook which crosses the road and flows to the westward down the hillside, forming a gorge; through this gulley, up over the hill, the party in five divisions silently and cautiously made their way, "and found themselves just by the house; the entrance to which was by three doors, south, east and west". Three of the five divisions were to attack each a door, the fourth to guard the road; the fifth to act on emergencies.

The party approached the house and opened the front gate. As



OVERING HOUSE, MIDDLETOWN, R. I.

The house occupied by Gen. Prescott the night of his capture. A portion of the house was destroyed by fire many years ago.

they did so a sentinel advanced and demanded, "Who comes there?" No reply was made and the party kept on; a second time the sentinel inquired, "Who comes there?" All this time they had been advancing and were nearly up with the sentinel when Barton answered, "Friends". "Advance and give the countersign", responded the guard. "We have none", said Barton, "but have you seen any deserters to-night?" The apparent honesty of all this conversation completely unarmed the sentinel, and before he realized that there was anything irregular in the proceedings, John Hunt, one of the party, sprang upon him, pinioned his arms, took away his gun, and told him to preserve silence under the penalty of instant death.

Having disposed of the sentry, one party proceeded to the house,



while the other divisions assumed the stations to which they had been assigned.

The door was burst in and they ascended first to a chamber, which proved to be that occupied by Mr. Overing; he was much frightened, and upon being asked where the general slept, pointed with his fingers to the apartment below. At first they did not believe him, but proceeded to the next chamber, which was found to be occupied by Mr. Overing's son. Not finding Prescott there they descended to the floor below. After they had searched the chamber without finding any trace of Prescott, Barton, as he stood on the stairs, ordered his men to fire the house, saying he was bound to have the general dead or alive. This order caused some one on the lower floor to exclaim, "What is the matter?" Going to the room from which this voice emanated, Barton saw a man in his night clothes sitting on the side of a bed; putting his hand on his shoulder, Barton asked him if he was General Prescott, to which he replied, "Yes." "Then you are my prisoner." "I acknowledge it, sir", replied Prescott. The general was then told that he must accompany them at once. He begged to be allowed to put on his clothing, but time was too precious for him to dress to any great extent, and with only a few clothes, he was hurried out of the house as quickly as possible.

In the meanwhile another incident was taking place. Major Barrington, the general's aid, was asleep in one of the chambers; when he was awakened by the confusion in the house, he rose from his bed, went to one of the windows and jumped out. Such a proceeding had been anticipated, and he at once found himself in the hands of one of the party on guard outside. The three prisoners, General Prescott, Major Barrington, and the sentinel, whose name was Graham, were conducted to the boats.

The way back lay through a field of rye, and meadows covered with blackberry vines, and as the sentinel was the only one equipped with shoes, the two officers experienced a severe scratching and were completely exhausted when they finally reached the boats. The prisoners were placed in the boat with Barton and the order given to push off. As they did so the signal of alarm, three cannon and three rockets, came from the island; some of the household had spread the news and the whole camp was aroused. Barton and his party had a good start, and they proceeded on their way without being pursued. During the trip back across the Bay, Prescott, noticing the British vessels lying here and there at anchor, turned to Barton and said, "Sir, I did not think it possible you could escape the vigilance of the water guards".

It was midnight when the boats landed at Warwick Neck. From here the prisoners were taken to Old Warwick, to a tavern kept by David Arnold. In order to reach this inn it was necessary to walk some distance. Prescott, whose feet were swollen and badly scratched

from his hurried scramble over the island meadows, asked Barton if he could not procure him a pair of shoes. Through Barton's efforts a pair was obtained from one of the officers at the Warwick Neck station, and Samuel Cory, one of the expedition, was directed by Barton to take them to the general and put them on. "Sam took the shoes and Prescott protested he could not wear them, his feet were so swollen and they would not fit. But Sam very deliberately sat himself down and went about putting them on, saying his orders were to put them on General Prescott, not to see whether they fitted, and that he must obey orders". Upon arriving at Arnold's tavern the prisoners were assigned to rooms, where they passed the night.

The next morning they were driven to Providence and delivered into the custody of General Spencer, and in the course of a few days



DAVID ARNOLD TAVERN, OLD WARWICK.

Here Gen. Prescott was taken after his capture by Col. Wm. Barton.

Prescott was sent to Washington's headquarters in New Jersey, and in April or May following he was exchanged. It is doubtful for whom he was exchanged; by some it is claimed for General Lee,<sup>1</sup> while by others for General Sullivan, who had been captured at the Battle of Long Island in August, 1776, and the solution of this seems likely to never be determined. Soon after this exchange Prescott resumed his command on Rhode Island. Much surprise has been expressed that Prescott should have been so far from the main army and from the headquarters which he had established in Newport. He also appears to have neglected to place a proper guard at the house, where it appears he spent most of his nights for more than a month. This has been excused in a measure by an English writer, Robert Lamb, who

<sup>1</sup>John Fiske in "The American Revolution" says Lee, vol. II, p. 59.

was a sergeant, during the war, in the Royal Welsh Fusileers, and who afterwards published a Journal of the American War; in this he says: "The British troops on Rhode Island were divided into two large encampments, one covering the town [Newport], the other subdivided into three parts, and stationed towards the northern extremity, and about half a mile from the western coast of the Island."

It would be natural for a fellow soldier to palliate any indiscretion on the part of another, more especially a superior officer; besides this he was bound to uphold the honor of the army. Notwithstanding, however, the reasons given by Lamb, there has been, ever since the event, more than a suspicion that something, besides a desire to be near the two divisions of his army, brought him to that part of the island, and this suspicion is intensified by a few lines which appeared in the London Chronicle, September 27, 1777, only a few weeks after the episode on the Island took place; these lines were as follows:

"On General Prescott.  
Being carried off Naked, Unanointed, Unanealed."  
"What various lures there are to ruin man;  
Woman the first and foremost all bewitches.  
A nymph thus spoiled a General's mighty plan  
And gave him to the foe without his breeches."<sup>1</sup>

In nearly all the accounts of Prescott's capture the statement has been made that the door of the room occupied by the general was broken in by a powerful blow made by the head of a negro servant of Barton's; no mention of this, however, is made in Barton's own story, which he afterwards prepared.

Nearly all these accounts differ as to the person who did this act; in each, however, it was a negro. Thatcher, in his "Journal", calls him Prince; Greene, in his History of East Greenwich, calls him Sisson; Lossing, in his Field Book of the Revolution, calls him both Prince and Sisson; Mrs. Williams, who wrote the biography of Barton, says his name was Guy Watson, and afterwards identifies him with Tack or Jack Sisson, one of the party; and Prof. Diman, in his historical address, mentions an old negro named Quaco, who always claimed to have been the negro with Barton. While the fact that Barton makes no mention of this occurrence in his story does not necessarily prove that it did not take place, yet it does unfortunately prevent us from learning just who this headstrong fellow was. It is worth noticing, perhaps, that Jack or Tack Sisson, a negro, accompanied the party.

Prescott was a small, feeble old man, peevish and tyrannical. He had made himself disagreeable to the people of Newport, from the time he first took command, by his arbitrary orders, and there was

<sup>1</sup> Additional light is thrown on this subject by the Literary Diary of Ezra Stiles, D.D., LL.D., vol. 2, p. 182.

much secret rejoicing among the inhabitants at the news of his capture.

The situation in Newport following this audacious capture is plainly shown by the brief entry which Fleet S. Green, of that town, made in his diary the next day, in which he says :

“Last night came on the west side of the island, supposed to be about 10 men of the Provincials, marched up to Mr John Irving’s house, without the least opposition, carried off Maj. Gen. Prescott, his aide-de-camp Mr Barrington, the sentry, and what others is not known. Immediately on the intelligence that the Gen. was carried off, the drums beat to arms, the Dragoons scoured the shore, but the bird was flown. The town appears in the utmost confusion at the loss of the Gen. confusion appears in every face, even the greatest friends to liberty are obliged to show some marks of sorrow at the loss of such an accomplished general; but the sun appears very bright through the clouds that hang on the brow. Mr. John Miller carried to the Provost, this afternoon, for too publicly expressing his joy at our relief.”

Prescott’s headquarters in Newport were at the Bannister house, on the corner of Spring and Pelham streets, a house which is still standing and occupied as a hotel called “The Prescott”. Soon after he assumed command and established here his headquarters, he had a fine walk built, for his accommodation, from the house along Pelham street and up Spring street, and by his orders the stone door steps to the houses in the neighborhood were taken for this purpose.

The morning after the evacuation of Newport by the British the owners of these stepping-stones repaired to this private way of the general’s, eager to secure their property, and before a great while this fine walk entirely disappeared.

The house where Prescott was captured is still standing, but it has been greatly changed since that July night in 1777, for many years ago it was partly destroyed by fire. The house standing at that time is now an ell to the more pretentious building which is seen from the road. It was in the old part that the affair took place. For many years visitors to this old house were shown a room in the chambers of the front part, and told that it was the room occupied by the British general on the night of his capture; but this part of the house was not built at the time; an old broken door was also displayed, which was said to be the same door broken by the blow from the negro’s head. These stories have entertained and apparently satisfied scores of curious visitors, and perhaps have done no great harm, except to mislead those who have afterwards chronicled them as facts.

For this important service which Barton had rendered, Congress promptly extended a vote of thanks and directed a sword be presented to him, which was accordingly done. This sword is now in the possession of one of his descendants. In December following his gallant act

Barton was appointed aide-de-camp to General Green, and by vote of Congress was commissioned colonel.

When General Sullivan was sent to take command of the military affairs in Rhode Island it was regarded by General Pigot, then in command of the enemy's forces at Newport, as the first step in a general movement to attack him in his stronghold. He, therefore, resolved to annoy the American commander and delay such a project, if such a policy was contemplated.<sup>1</sup> On the evening of the 24th of May, 1778, Lieutenant-Colonel Campbell, of the 22d Regiment, with a force of about five hundred British and Hessian soldiers, embarked from Newport on several vessels and proceeded up the bay under cover of darkness to a point between Popasquash Point and the town of Warren. Nearly opposite Rumstick Point, about half a mile south of what is known as Peck's rocks, in the town of Bristol, the party landed in tenders and small boats that had accompanied the expedition. It was near daylight when they landed. The invaders divided into two columns, one taking the main road into Warren, while the other set out for the head of the Kickemuet River.

At a point near the stone bridge which crosses the river were collected a large number of commodious flat bottom boats, which had been prepared for the transportation of the troops at the time of the projected expedition by General Spencer; here also was a considerable quantity of stores, "pitch, tar, plank, &c.". Lying at anchor in the river was the row galley Spitfire<sup>2</sup> and some other small craft. All this material, boats and stores were set on fire and entirely consumed. The fire on the galley, however, was extinguished before the flames had done much injury and was taken in charge and carried off by the enemy. It is stated<sup>3</sup> that so unexpectedly and quickly had the attacking party arrived at this point that the crew of the galley were surprised while sleeping. In the mean time the second body of troops marched to the town of Warren, burned the Baptist meeting-house and seven dwelling houses, including the parsonage, blew up the powder magazine, abused and plundered the inhabitants, and took away several prisoners, among whom were the Rev. Charles Thompson, pastor of the church that had been destroyed, Major Sion Martindale, Mr. Edward Church, and a number of young men. With the church and parsonage were also destroyed the records of the church from its organization in 1764, a loss which has been sadly felt ever since that memorable day.<sup>4</sup>

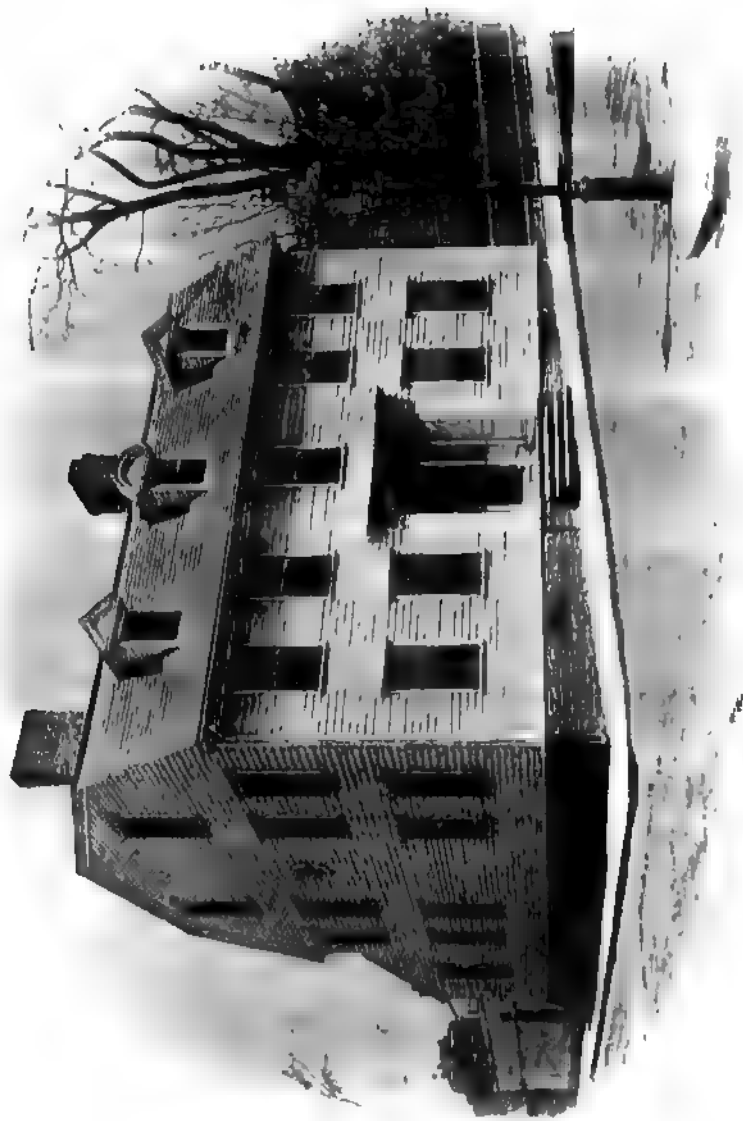
Fessenden, in his history of Warren, has preserved the recollections

<sup>1</sup>Gordon's American Revolution, vol. iii, p. 127.

<sup>2</sup>Arnold's History of R. I. says "Washington". See Diary Fleet S. Green in Hist. Mag., 1860, vol. iv.

<sup>3</sup>Fleet S. Greene, Diary in Hist. Mag., 1860, vol. iv.

<sup>4</sup>Tustin's Historical Discourse in History of Warren, p. 137.



THE BANNISTER HOUSE, CORNER OF SPRING AND PELHAM STS., NEWPORT, R. I.  
THE HEADQUARTERS OF MAJ.-GEN. PRESCOTT DURING THE BRITISH OCCUPANCY OF NEWPORT IN THE AMERICAN  
REVOLUTION.



of eye witnesses to the appearance of the troops on this occasion as well as to some of their acts.

“The British”, he says, “were dressed in old fashioned red coats, cocked hats and small clothes, with a great display of laced trimmings, shoe and knee buckles. The Hessians wore enormous fur caps, and large, wide and loose boots, into which they thrust all kinds of articles pilfered from the houses; and these articles, hanging over the tops of their boots, gave them a singularly grotesque appearance, as they left the town.”

From the appearance of one of these Hessian boots now hanging at Washington headquarters at Newburg, N. Y., it is certain that the aged person who thus described the footgear of the German hirelings did not exaggerate the story in the least. In this attack two Hessians at least were killed and one captured, and the stories of their losses are interesting and, while not authenticated by contemporary writings, have been passed down from generation to generation in family history as well established traditions.

Two straggling Hessians from the band of marauders pursued their way towards Tyler's Point in Barrington, where they attempted to cross the river. Here at the point lived Moses Tyler, one of the substantial men of Barrington. He had heard the sounds of the musket shots at Warren and had seen, too, the smoke and flames rising from the burning buildings in the town. When he discovered these two strange persons in an unfamiliar military dress trying to launch a boat on the other side of the river, he made up his mind that it would be well to watch them closely. Finally they succeeded in getting the boat afloat and both entered, and one taking the oars began to row across. As they drew nearer Tyler, who had now become convinced that they were British marauders, went to his house, took his gun from its resting place and proceeded down toward the shore. When they had come within hailing distance Tyler, standing by the water's side, shouted to them, “Keep off! Don't you come a stroke nearer or I'll fire!” At the same time raising his gun. They paid no heed to his command and continued their course. Once more he hailed them with the same result, and as the boat was now rapidly drawing near the shore, he raised his gun, took good aim at the foremost man in the boat, and fired. His oars dropped from his hands and he fell back dead in the boat. His companion was not inclined to continue the journey longer, and hastily returning the boat to the other side, jumped ashore and hurried off to rejoin his company then ravaging Warren.

With the assistance of some of his neighbors, Tyler secured the body of the dead Hessian, and it was decently buried at Tyler's Point, where the foolhardy fellow lost his life. In the boat lay the dead soldier's gun; this was taken by Tyler, who preserved it during his lifetime and

showed it when he had occasion to tell the story of his adventure at the Point. Upon his death it fell to one of his descendants and is yet preserved among the family treasures. On the occasion of the Centennial Celebration at Barrington, June 17, 1870, the old gun was exhibited, with many other curious and interesting relics, and was regarded with profound interest from the thrilling story it awakened.

On the east side of the Kickamuet River, in what is called Touisset Neck, lived David Barton, a brother of Gen. William Barton. David Barton was not so conspicuous in the war as was his distinguished brother, yet the same patriotic impulses beat within his breast. At the time of the attack he was at home on his farm, and the sound of musket shots and the clouds of curling smoke upon the early morning air gave him warning of approaching danger. In penetrating into the country the enemy had proceeded with great caution; it was not definitely known whether the neighborhood was defended by troops or not, and in order to prevent any surprise from the Americans and to guard against falling upon a superior force, the British commander had sent out scouts in all directions to discover, if possible, any sources of danger. Standing on his door step, scanning carefully the surrounding country, Mr. Barton saw suddenly a figure stealthily making his way across an open field, near his house, in which was a tall hay stack. As he approached nearer Barton recognized the peculiar uniform of a Hessian soldier. He quickly entered his house, took down his gun from the pegs, loaded it, and watched the manœuvres of the spy from a half-open window. This individual appeared to have his mind on that hay stack, and as he came up to it he examined it carefully, and then having found a place that suited his convenience he began to climb up. Its height afforded an excellent place from which to get a good view of the neighborhood, and the fellow, unconscious of any danger, was soon at the top, where he lay down on his stomach, his legs hanging over on the side. As the man lay there within full view, Barton raised his gun, took good aim and fired. What the poor fellow observed never benefited him, for, with the discharge of the gun, he slid from the hay stack, dead. The old homestead of David Barton is still standing in Warren, a short distance south of Butterworth's corner.

During the confusion and excitement attending the attack on the town a number of the women had assembled together in a house on Main street, where they remained, thoroughly frightened, until the soldiers began to make their departure. "They saw the troops pass by in hasty retreat, and at a short distance in the rear a single individual, encumbered with a big drum, unable to keep up with the main body."

They grasped the situation at once, and when the main force was far enough in advance, these women sallied forth, surrounded the straggler and commanded him to surrender. He made no attempt at

resistance, and when informed that he was their prisoner, said "he was glad of it, for he was faint and tired". This heroic act on the part of the women of Warren resulted in securing the release of one of their townsmen, who was exchanged for this captive drummer.

Riding at anchor in the harbor of Warren was a newly built vessel, destined to be a privateer; this, too, was set on fire and destroyed. Having accomplished their object at Warren, Colonel Campbell set out for the town of Bristol, about four miles further to the southward. The British commander had been instructed to ascertain, before falling upon these towns, if there was any considerable force to oppose him, and if so to avoid bringing about an engagement. By intimidating an aged woman living near the road to Popasquash, he ascertained the details of the situation at Bristol, ordered an advance, and the column took up its march down the present High street towards this thriving seaport town. The only force to oppose the attacking party was a small detachment of Colonel Archibald Crary's regiment, which was then quartered in the town. Had even this small force taken a decided stand against the marauders, Bristol might have been saved, for the British commander would not have felt justified in forcing an entrance if he was resisted. Crary's men, however, retreated and Bristol was left to the foe.

The troops approached the town in irregular order, as the soldiers in small squads departed from the line of march to plunder and harass the people along the route. The first house entered was that of Joseph Reynolds, who was made a prisoner and carried off. As the main body of the British entered the town the small force of Americans retreated before them, thus leaving the town defenseless. The work of destruction was then begun and about thirty houses were set on fire and destroyed. Through mistake, they set fire and destroyed "the church instead of the Meeting-house", as an English historian<sup>1</sup> ten years later expressed it. This was a church of England, St. Michael's, and laboring under the misapprehension that it was the Congregational meeting-house, it was burned. Some of the circumstances attending this disaster are found in a letter from Mr. John Usher, jr., to the secretary of the society, written in 1784. "A member of the church acquainted the second in command under Colonel Campbell in that excursion, that the church had not been open since the commencement of the war, for any purpose whatever, and the members of that church were friends to Government, upon which the Officer ran to the Church Door, but 'twas too late, the Pulpit was all on fire. Two minutes sooner would have saved the church." It was also related that when the sexton was informed of the destruction of the edifice, he evinced considerable surprise and was loth to believe it, "for", said he, "I have the key here in my pocket". Dr. Gordon,

<sup>1</sup>Dr. Gordon.

the English historian, referring to the destruction of property at Bristol, says: "The destruction of houses and places of worship was afterwards attributed chiefly to the licentiousness of the soldiers, who treated both friends and foes with cruelty, plundering houses and robbing women of their shoe buckles, gold rings, and handkerchiefs."

The news of the depredations at Warren was received by General Sullivan at Providence about eight o'clock that morning, a messenger having hurriedly been dispatched at the first news of the approach of the enemy.

Col. William Barton was at the time with his regiment at Providence, and was informed of the situation in his native town almost at the same moment that the commander-in-chief was notified. Hastily collecting a few horsemen, Barton set out for Warren at a rapid gait, and as the party hastened along the road, aroused the country people, and by the time Warren was reached a considerable force had been collected and was following closely at his heels. The enemy had completed their ravages here before his company arrived upon the scene, and had begun their work of destruction at Bristol.<sup>1</sup> He was in time, however, to harass the rear guard and considerable blood was spilled. During this skirmish Colonel Barton received a painful, if not dangerous, wound. He was sitting on his horse, observing one of his men who was struggling to get forward, when, as he raised himself in his stirrups in the act of flourishing his sword, a bullet from the enemy "entered his right thigh, just above the knee, and glancing upwards lodged in the right hip". It was not until after the enemy had left the mainland that he made known the fact that he was wounded. He was taken to a neighboring house, where the bullet was extracted by Dr. Winslow, assisted by Governor Bradford, who, in his earlier life, had been a student of medicine and surgery. This accident to Colonel Barton prevented him for many months from taking any active part in the events which later transpired in Rhode Island. The British force retreated before the advancing body of Americans to Bristol Ferry, where the tenders that had accompanied the expedition were on hand to receive them. Before leaving, however, they succeeded in making prisoners the entire coast-guard at Popasquash, consisting of ten men under the command of Captain Westcott; these, with the others, were taken across the Island of Rhode Island and the next day were marched into Newport under a strong Hessian guard.

<sup>1</sup>This was the second attack that had been made on the town of Bristol. On the morning of the 7th of October, 1775, a British fleet, under command of Lieut. James Wallace, appeared off the town with demands for provisions, and in order to enforce its demand opened fire upon the town, but no lives were lost or great damage done. Provisions were secured and the fleet withdrew.

About thirty buildings<sup>1</sup> were destroyed in Bristol before the enemy departed, and had it not been for the prompt response of Colonel Barton and his body of volunteers, supplemented by a detachment which later followed from headquarters, there would have been little of the town left undestroyed.

The day after this attack on Warren and Bristol, Governor Greene, alarmed at the boldness of the enemy and anxious for the security of the other towns and villages along the seaboard, sent the following communication to Governor Trumbull and President Powell at Connecticut:

“State of Rhode Island and Providence Plantations,  
“Council Chamber Providence, 26th May 1778.

“Sir: This is to inform you, that a party of about seven hundred of the enemy landed upon the eastern part of this State the night before last, towards break of day, and burnt about thirty houses and stores in the towns of Bristol and Warren; as also our flat bottom boats, to the number of about seventy or eighty, which lay at a place called Kickemuit, which has greatly alarmed the inhabitants of this State; especially as we have been for a considerable time past almost entirely neglected by our sister States not assisting with their quota of troops, according to the agreement entered into by the convention at Springfield; and unless we can be better furnished for the future, I see nothing to hinder immediate destruction from taking place; for unless the major part of our militia are continually upon duty, the shores cannot properly be guarded; and in that case, we shall very soon be deprived of the necessaries of life; that considering our unhappy situation, and how distressing the season has now opened, I am convinced I need not use any further arguments to convince you of the necessity of your States sending forward their troops with the utmost dispatch.

“I am, with great respect sir,  
“Your most obedient, humble servant  
“W. Greene.”<sup>2</sup>

To protect the State from any further incursions of the enemy, one-sixth of the militia, independent and alarm companies, were ordered into service for the space of fifteen days, and measures were adopted giving power to General Sullivan, with the advice and consent of the governor, and in his absence the deputy-governor, to call out the various companies of militia to do duty in case of imminent danger.

Another letter of Governor Greene's, written to the Hon. Henry Marchant at Yorktown, gives some additional facts regarding the

<sup>1</sup> A list of the houses destroyed will be found in the *Story of the Mount Hope Lands*, by W. H. Munro.

<sup>2</sup> *Official Letters in office secretary of state, 1778-1779*, p. 38.

destruction at these towns, as well as the subsequent attack made on Fall River, for he says:

“Before this reaches you it is very probable you will have heard that a large body of the Enemy in the night on the 24th of last month landed at Warren towards break of day and from thence made to a place called Kakemuet where lay our flat bottom Boats, and burnt about seventy or eighty. They then proceeded back to Warren & burnt the meeting house, parsonage house and Caleb Childs house as also the magazine in which was a considerable quantity of Powder and partly burnt one of our Galleys and a new Privateer that lay in the harbor; they then proceeded to Bristol where it is said they burnt 20 dwelling houses and a considerable number of other Buildings and then embarked on board their boats, carrying with them about sixty prisoners; among them was Sylvester Child & Parson Thompson of Warren. On the 31st following, being perhaps flushed with their former success, they again landed at Fall River with a body of about 150 and burnt one house and a mill and were proceeding no doubt to burn the remainder of the Mills as there is two Corn mills and a fulling mill upon the same stream, near to where they burnt the other but as there was a bridge to pass to the other mills which our people took up and then placed themselves behind a wall and then began to fire upon them they retreated with the loss of one man killed and one mortally wounded who I hear is since dead.”

A Newport diarist<sup>1</sup> wrote in his journal under the date of May 25:

“At 2 o'clock this morning the troops came down the river and landed at Long wharf. They report that 3 o'clock this morning they landed some miles below the town of Warren, marched up undiscovered, set fire and plundered the town without opposition, took a number of inhabitants prisoners; proceeded thence to Bristol, set fire to the town and then embarked after burning 120 flatboats, took the galley Spit-fire with men asleep and burned a number of vessels.

“This afternoon the prisoners were marched to town from Portsmouth under a strong guard of Hessians and committed to the Provost.

“Among the prisoners were the Rev. Mr. Thompson of Warren, Major Martindale, Mr. Edward Church and a number of young men belonging to this town”; and on the next day he further writes, “The prisoners were all sent on board the prison ships. This expedition has caused universal joy among the Tories.”

Although the British army took possession of Newport and the Island of Rhode Island early in December, 1776, it was not until the summer of 1778 that a systematic plan to attack the enemy in his stronghold was carried into effect, although an abortive attempt had been made in October, 1777, by Gen. John Spencer, then in command

<sup>1</sup>Fleet S. Greene in *Historical Magazine*, 1860.



of the military affairs of the State, to which action he had been stimulated by an act of the General Assembly of Rhode Island.

During the occupation by the enemy of a part of Rhode Island territory, many wanton depredations had been committed upon the people.<sup>1</sup> Towns had been sacked and burned, the homes of the people had been invaded, private property had been confiscated, while the commerce of the State had been practically annihilated.

The adjoining towns of Warren and Bristol suffered most severely from these incursions, but the hardships which the isolated farmers along the seaboard were forced to endure from the forays of small boats' crews were more distressing than the greater losses which more populous sections sustained. On several occasions small detachments of the two armies had met in conflict with honors about evenly divided.

In April, 1778, Gen. John Sullivan, an officer held in the highest esteem by Washington, arrived in Providence, succeeding General Spencer, whose administration of the military affairs of the State had been somewhat disappointing. At about the same time the joyous news that France had entered into an alliance with the States aroused the drooping spirits of the people.

General Sullivan at once entered upon his duties and inspired further confidence by the energy and zeal which he displayed. He promptly ordered additional defenses built, and to prevent any attempt at surprise in the northern part of the State, had the waters of the bay thoroughly patrolled by row galleys, and protected the port of Providence, where he established his headquarters, with a guard ship at Field's Point. Acting under instructions from General Washington, preparations for a movement against the enemy on Rhode Island were commenced early in July. Sullivan was directed to organize an army strong enough to insure the success of the enterprise, collect the necessary material to move such a body, and to generally familiarize himself with the situation of the enemy and its strength both by land and sea. General Lafayette was dispatched to Rhode Island to join Sullivan with two continental brigades, Varnum's and Glover's, and Gen. Nathanael Greene was ordered to his native State to take part in the proposed expedition.

The French fleet, under the command of Vice-Admiral Count D'Estaing, had only a short time before reached the American coast and was in the neighborhood of Sandy Hook, but the French admiral, finding that his services would be of little value there on account of the draft of his vessels, and that a greater field of usefulness was offered in Rhode Island, acting under the advice of Washington, left the Hook and sailed for Newport to co-operate with the American

<sup>1</sup>The damage to property in the town of Middletown, R. I., during the war was estimated at \$137,777.1-6 (Newport Hist. Magazine, vol. 1, p. 241).

army in the proposed movements. All these preparations occupied the time until the 6th of August, when the two continental brigades commanded by Gen. James M. Varnum of Rhode Island and Gen. John Glover of Massachusetts took up their march for Tiverton, where the army was to rendezvous. Here Lafayette met them upon their arrival. The next day General Sullivan and his staff left his headquarters at Providence and proceeded to Tiverton to take command of the expedition.

The troops from Massachusetts,<sup>1</sup> New Hampshire,<sup>2</sup> and Connecticut<sup>3</sup> soon made their appearance. The resources of the towns in Rhode Island were severely taxed, and a body of about three thousand men were brought together for this expedition. In some of the towns the male population was almost entirely withdrawn, and the town of Westerly, under the date August 25, 1778, has inscribed upon its records, "the freemen being chiefly called away in the Expedition against Rhode Island".

Major-General Heath, in his Memoirs, states: "The troops on Rhode Island under the command of Gen. Sullivan, were on the 11th 10,122, including officers, exclusive of some volunteers from New Hampshire and other corps, arranged as follows,

Varnum's Brigade	1,037
Glover's	1,131
Cornell's	1,719
Greene's	1,626
Lovell's	1,158
Titcomb's	957
Livingston's advance	659
West's reserves	1,025
Artillery	810
	— — —
	10,122'' <sup>4</sup>

Among the papers of Dexter Brown, deputy wagon master-general,

<sup>1</sup>The Massachusetts State Archives contain many rolls of the troops belonging to that State that were engaged in this alarm.

<sup>2</sup>New Hampshire Revolutionary Rolls, II, 500, 506.

<sup>3</sup>It is generally stated that no troops from Connecticut took part in this expedition, but it appears from a letter written by Jonathan Trumbull, dated Lebanon, 26 August, 1778, to Governor Greene, that "Six companies are on their march to providence from this state". It is also added that there are "80 men exclusive of officers in Each company", while in an account kept by Thomas Wicks of Warwick, whose home was the military headquarters in that town, (Revolutionary defences in Rhode Island, p. 94), he states, "Capt. bomen cum in my house ye 4th of Septembr [1778], went out ye sixth of ye month they was from Connecticut", doubtless on their march homeward.

<sup>4</sup>From a Field Return of Troops on Rhode Island, August 16, 1778, in the office of the secretary of state, the number is given as "10,835 artillery included."

there is one bearing the title, "A list of Brigades on Rhode Island",<sup>1</sup> and the following are there mentioned :

Gen. Titcomb,  
Gen. Lovell,  
Gen. Cornell,  
Col. Greene,  
Gen. Glover,  
Gen. Tyler,

Col. Livingstone,  
Col. Noyes,  
Gen. Varnum,  
Gen. West,  
Gen. Whipple,  
Col. Crane.

In order to prepare for the transportation of so large a body of troops in the movements projected, Major Silas Talbot had been ordered to Tiverton to prepare eighty-six flat boats capable of transporting one hundred men each, for the boats which had been prepared for Spencer's expedition the year before and had been collected in the Kickemuet River were all destroyed at the time of the British raid on Warren. Besides these a "large number of the large flat bottomed boats" were to be conveyed from Weymouth, Mass., "taking the advantage of the river to the vicinity of Rhode Island."<sup>2</sup>

A wagon master-general and a deputy were appointed, clothed with the power to hire or impress teams for the public service. Many of the accounts and papers relating to the wagon service in the expedition are now found among the manuscripts belonging to the City of Providence.

The day following Sullivan's departure for the scene of operations the French fleet, under D'Estaing, entered the harbor of Newport by the east passage, receiving, as the vessels passed the British batteries on either side, a heavy fire which the fleet as promptly and actively returned. The arrival of the fleet produced the greatest consternation in the heart of the British commander, and in order to prevent their falling into the hands of the French, eleven vessels of war, with all their guns, stores and materials, were sunk or burned, the British losing by this action two hundred and eighteen guns of various calibres.

It had been arranged between Sullivan and D'Estaing that the army should move upon the island on the morning of the 10th of August, but on the morning of the 9th the information was brought to the American commander that the British had evacuated the works at the north end of the Island and had withdrawn within their lines three miles to the northward of Newport.

It was an opportunity for an advance hitherto unexpected, and an opportunity of which Sullivan felt impelled to take advantage, and contrary to his understanding with the French count, he immediately put his army in motion, and at eight o'clock on the morning of the

<sup>1</sup>Providence Town Papers, 14790.

<sup>2</sup>Heath's Memoirs, p. 189.

9th the right wing, under command of Gen. Nathanael Greene, crossed over Howland's ferry, followed by the other divisions of the army, and took possession of the abandoned works. Hardly had the American forces occupied the Island when it was reported that the British fleet, under Admiral Howe, which had closely followed in the wake of the French Admiral, was standing towards Newport.



GARDINER HOUSE, OLD WARWICK.

The military headquarters of the troops located in Warwick during the War of the Revolution. Erected 1737.

Simultaneously with the movement of Sullivan's army to the Island, about four thousand French troops landed upon the island of Conanicut to co-operate with the Americans. Upon the landing of this body the British works on the Island were hurriedly evacuated and the German troops there located retreated to Newport, spiking the guns and destroying the magazines, however, before they left. The depression which had prevailed within the garrison at Newport at the sight of the French squadron was at once dispelled by the news and sight of Howe's fleet, for the the American army in front of Newport and the powerful body just landed on Conanicut made a force double in number to that under Sir Robert Pigot, commanding the British forces. When D'Estaing learned of the approach of Howe he at once made preparations to put to sea and meet his foe. The troops which had been previously landed on Conanicut were ordered to their respective vessels and the fleet was soon in motion, and, says an eye witness:<sup>1</sup> "At nine o'clock [August 10] the English fleet was seen to stand out; it surprised us, but still it was thought it was only done to have sea room enough. What Count D'Estaing thought Heaven knows, for his haste was so great He cut all his cables and came firing through the Harbor as if the very Devil was in him, one-half the town went in the Neck to see a great sea fight, but returned exceedingly disappointed in a few hours. Then it was told, Lord Howe's strength was not sufficient to cope with such a fleet". During the whole day the two fleets were engaged in manœuvring for the weather gage; while thus endeavoring to obtain advantages a storm of unusual severity for this season of the year came on, which separated the fleets and prevented an engagement.

Both fleets suffered severely from this tempest, which raged furious-

<sup>1</sup>Mrs. Almy of Newport, a royalist.

ly for forty-eight hours. During it D'Estaing's own ship, the *Languedoc*, of 90 guns, lost her rudder and all her masts, in which condition she was overtaken along in the evening of the 13th by the British ship *Renown* of 50 guns. A sharp but brief engagement occurred, which was suddenly brought to a close by the appearance of six vessels of the French fleet, and the Englishmen, deeming discretion the better part of valor, sailed away. About the same time the *Preston* of 50 guns came down upon the French vessel, the *Torrent* of 80 guns. This ship, too, was nearly as badly off as the *Languedoc*, having only her main mast standing, but darkness put an end to an encounter which otherwise might have resulted disastrously for the Frenchman. Three days later the British ship *Iris* of 50 guns and the French ship *Cæsar* met in a desperate engagement at close quarters. Both vessels had escaped injury in the storm and fought "with the greatest obstinacy for an hour and a half", resulting in the escape of the *Cæsar*. Both fleets suffered more severely from the elements than they did from their encounters, and the British admiral, after collecting his scattered vessels, sailed for New York for the purpose of refitting. A few days later, August 20, D'Estaing returned with his ships to Rhode Island and came to anchor near Newport. As they lay at anchor it was noticed from the town that the vessels were in a shattered condition; some had lost their topmasts and there was one ship less in the fleet than before sailing. In this condition the French admiral determined to sail at once for Boston to repair, for his fleet was in no condition to withstand another contest.

The storm which had played such havoc with the two contending fleets severely affected the American army in its exposed situation on the island. The wind blew with great violence, driving a flood of rain before it, accompanied by thunder and lightning; in fact, says an observer, "it never rained harder since the flood". As night came on the tempest increased in fury, leveling the tents and so damaging the ammunition in the hands of the troops that the whole army for the time was practically defenseless. Several of the soldiers died from exposure, and horses, too, succumbed to this notable August storm. The next day the weather came off clear, finding the American army in a deplorable condition. Both American and British officers agree that had the enemy made a vigorous attack on the 14th, the result would have been disastrous to the cause of the Colonies.<sup>1</sup> Fortune

<sup>1</sup>The British forces during the operation on Rhode Island consisted of the following regiments: Of the German auxilleries there were the Regiment Landgraf (sometimes called Wutgenau); Regiment Prinz Carl; First Division of the Regiment von Dittfurth; Garrison's Regiment von Huyn; Garrison's Regiment von Bunan; Regiment Anspach; Regiment Bayreuth, and Feld Jager Corps. Of this latter corps the Anspach chasseurs formed a part. Of the English army there were the following regiments: 4th, 10th, 20th, 22d, 38th, 43rd, 46th, 54th, 56th, 71st Highlanders, Queen's Rangers, Prince of Wales

avored the army, however, as the enemy kept within his lines, allowing the shattered troops to dry their clothes and recover from the effects of the storm.

On the 13th Jabez Bowen, one of the Council of War, who was with the army before Rhode Island, sent the following communication to Governor Greene:

“Tiverton August 13, 1778.

“Dr Sir;

“Genl. Sullivan has inclosed a couple of Letters for me to forward which contain all the particulars of our situation. The storm has been distressing beyond description to the soldiers and when it will clear away we know not.

“The Genl. is determined to advance on the Enemy as soon as the weather clears up. The Event will be important to us and all America; may God Prosper the undertaking, please to forward all the cartridges in your power.

“I am Sir

“Your Humble Servant

“Jabez Bowen”.<sup>1</sup>

There is a vein of humor in the latter clause of this letter, but in those stirring days that homely old maxim to “trust in God and keep your powder dry” was a solemn and serious one.

Early on the morning of the 15th of August, Sullivan put his army in motion and advanced down the island in three divisions, one by the East road, one by the West road, while the third, equidistant between the other two, took up a position on Honeyman’s Hill and on the heights entirely to the northward of the hill, within two miles of the enemy’s works, where a battery of seventeen pieces of heavy artillery was established to cover their right flank and commanding the British works on Bliss Hill at Green End. Between these two hills is a deep ravine, terminating at the south at Easton’s Pond, with a narrow pass separating the pond from the waters of the ocean. To prevent any attempt on the part of the American army from approaching the town by this means, the enemy, on the 19th, began to throw up a line of works commanding this pass and the ravine. For five days a heavy cannonading was exchanged between Sullivan’s advance and the outer works of the enemy, when, on the afternoon of the 20th, the French fleet was discovered standing in. Early that evening General Greene and General Lafayette were dispatched to the flag ship Languedoc to consult with the French admiral upon a plan of action to be pursued. This consultation was prolonged until mid-

Regiment of Americans, Queen’s Regiment of Americans, a regiment of Grenadiers, of Light Infantry, and of Light Dragoons.

<sup>1</sup>Official Letters in office of secretary of state, 1778-1779, p. 126.





BLISS HILL FORT, GREEN END, MIDDLETOWN.

night, and the two officers left the ship with the disheartening intelligence that D'Estaing felt obliged to withdraw his fleet and sail to Boston for repairs.

Two causes led him to this decision: D'Estaing had instructions from his king that in the event his fleet met with any disaster, to sail for Boston and repair; the fleet had met with disaster and was at that moment sadly shattered. There was another element which also had a great influence in the matter. D'Estaing was a land officer and his subordinate officers in the fleet regarded his appointment over them as an insult and an injustice, and they "crossed him in every manner, that looked like giving him any kind of reputation in order if possible to bring him into disgrace".

All of his officers insisted upon his following the instructions from the king and entered their formal protest against the fleet taking part in the projected movement. The decision of the French admiral was surprising and disheartening to the American officers, and all united in a protest to this decision, which was transmitted to D'Estaing, but without effect.<sup>1</sup> He remained firm, and on the 22d of August the French squadron sailed from Rhode Island and was soon lost to sight. The departure of the fleet produced almost a panic in the ranks of the volunteer troops in Sullivan's army; many of the men had never been in action and the effect was most disastrous. The time for which many had enlisted had expired, and within twenty-four hours between two and three thousand volunteers marched from the Island, and by the 23d of August the besieging army was so reduced that it was "little more in number than that of the enemy".

Under these circumstances the folly of pursuing the course originally laid out was apparent. Besides this, Sullivan, while in front of the enemy's works, had received information from General Washington that Sir Henry Clinton had sailed for Newport with reinforcements for the British army. But, in order to show the enemy that he was not disheartened by the changes that had so rapidly and unexpectedly occurred, Sullivan, on the 23d of August, directed his batteries to open fire upon the British works, and under cover of this the first preparations for a retreat were commenced. All of the heavy baggage which had followed in the wake of the army was hauled to the north end of the Island. In order to move this great amount of material all sorts of vehicles were hired or impressed into service, and messengers were dispatched to all the farms as far north as Attleborough, and from thence all along down to Taunton; the returns of the wagon master show that they came from Berkely, Rehoboth, Providence, Swansey, Taunton, and Attleborough. Men were drafted from the ranks to drive them and the utmost endeavors were exercised

<sup>1</sup>General Lafayette did not concur in this protest.

to withdraw the army from the trap which it had so unexpectedly entered. The wagon train was divided into sections in charge of a person designated as conductor. One of the returns made by "Daniel Dagget conductor", yet preserved, is in the following words:

"Rehoboth August 25, 1778.

"An a count of teems Brot on the Island for the use of the continent.

Elisha Carpenter	3 cattel & cart
Daniel Lendley	3 cattel & cart
Elkanat French	4 oxen & cart
John French	3 cattel & cart
Amos Brown	3 cattel & cart
Josiah Pevoy	3 cattel & cart
John Brown	3 cattel & cart
fineas Clafin	4 oxen & cart
Simeon Titus	3 cattel & cart
John Eleck garder	3 cattel & cart
Daniel Lane	4 oxen & cart
Jacob Hoar	3 cattel & cart

Daniel Dagget conductor."

The following assignment of teams was made among the different brigades and regiments:

"A return of teams on Rhode Island press'd or hired  
August 23, 1778<sup>1</sup>

"Col. Crane's artillery Thomas Stevens 2 oxen 2 horses.  
Gen Varnums Brigade Asa Carpenter 3 cattle Comfort Peck 4 oxen.  
Col. Jackson detachment Jno Pike 3 cattle.  
Col Elliott John Mackee 4 oxen.  
Gen. Wests Brigade William Ede 4 oxen Nehemiah Sheldon 4 oxen.  
Col. Noyes Regiment Samuel Perry 3 cattle John Daggett 3 cattle.  
Gen Titcombs Brigade Samuel Noyes 2 oxen & 3 horses Edward Trask 4 oxen.  
Gen. Lovells Brigade Jona Ide 4 oxen & horse  
4 oxen Brightman 4 oxen Tucker 4 oxen".

Without the co-operation of the French allies, Sullivan realized that retreat was inevitable, yet he was reluctant to recede from his position, and it was not until the 28th that the army began to withdraw from the Island. All of the heavy artillery and baggage had by that time been safely carried to the north end of the Island and communication with the mainland securely established. During the day Sullivan and his officers, in council of war, had determined to withdraw to the neighborhood of Butt's Hill, intrench themselves and await further intelligence from the French fleet. At the same time General Lafayette was requested to hasten to Boston and use his

<sup>1</sup>Providence Town Papers, 14790.

influence with his countrymen to return and assist in the reduction of Newport.

This mission Lafayette gallantly accepted and set off for Boston, seventy miles distant, where he arrived in seven hours. His efforts were unsuccessful. It is true that D'Estaing offered to lead his troops overland to the scene of operations, but he would not consent to return with the fleet. With this answer Lafayette hurriedly returned, and by frequent changes of horses accomplished the journey in six and a half hours.

During his absence the engagement, which has since been known as the Battle of Rhode Island, occurred. He was in time, however, to conduct the rear guard in its retreat.

By two o'clock on the morning of the 29th of August "the army encamped on Butt's Hill, the right wing on the west road, and the left on the east road, with covering parties on each flank. Colonel Livingston's light corps was stationed on the east road, and another under Colonel Laurens, Colonel Fleming and Major Talbot on the west road, each three miles in front of the camp, and in their rear was the picquet guard under Colonel Wade. Such was the disposition of the American troops on the morning of the eventful day. At daylight of the 29th the British army in two columns marched out by the two roads. At seven o'clock the battle began". No more authentic and interesting account of the fight can be found than that given by the Hon. Samuel G. Arnold, the historian, in his centennial address on the anniversary of the battle, which was observed at Portsmouth, August 27, 1878, and it is therefore included here:

"A series of heavy skirmishes opened the engagement, and a regiment was sent to reinforce each of the two advanced corps, with orders for them to retire upon the main body, which was done in perfect order. The accounts vary as to which column commenced the fight, one attributing it to Major Talbot on the west road; but the most circumstantial points to a spot near the Gibbs farm, where a cross road connects the two main roads, and to the field now included between the east road and a middle road which here runs north from the cross road and parallel with the main road. A broad field enclosed by stone walls at this corner concealed a portion of the American piquet. The Union meeting-house now stands at the southeast angle of this field.

"Here the Twenty-second British regiment, Colonel Campbell, which had marched out by the east road, divided, and one-half of it turning to the left into the cross roads, fell into the ambushade. A terrible slaughter ensued. The Americans, springing from behind the walls, poured a storm of bullets upon the bewildered enemy, reloaded and repeated the desolating fire before the British could recover from

the shock. Nearly one-quarter of the ill-fated Twenty-second were stretched upon the field. Two Hessian regiments came up to their relief, but too late. The Americans, according to orders, had already retreated. A general assault was made upon the American left wing. This was repulsed by General Glover, who drove the enemy into their works on Quaker Hill. Upon the highlands extending north from the hill the Hessian columns were formed. The American army was drawn up in three lines, the first in front of their works on Butt's Hill, the second in rear of the hill and the reserves near a creek about half a mile in rear of the first lines. Between the two hills the distance is about one mile, with low meadow and, at that time, woodland between. At nine o'clock a heavy cannonade commenced and continued the whole day. About ten o'clock the British ships of war and some gun-boats came up the bay and opened fire upon the American right flank. Under cover of this fire a desperate attempt was made to turn the flank and storm a redoubt on the American right. The British right wing had already been repulsed by General Glover. The enemy now concentrated his whole force upon the new point of attack. The action became general, and for nearly seven hours the fighting was most desperate. Down the slope of Anthony's hill the Hessian columns and British infantry twice charged upon the forces led by Major-General Greene, composed of the four brigades of Varnum, Cornell, Glover, and Christopher Greene. These attacks were repulsed with great slaughter, 'and', says Governor Arnold, 'an eye witness told me that sixty were found dead in one spot; at another, thirty Hessians were buried in one grave'.

"To turn the flank and capture the redoubt was to decide the battle. A third time, with added ranks and the fury of despair, the enemy rushed to the assault. The strength of the Americans was well nigh spent, and this last charge was on the point of proving successful, when two events occurred which turned the tide of battle.

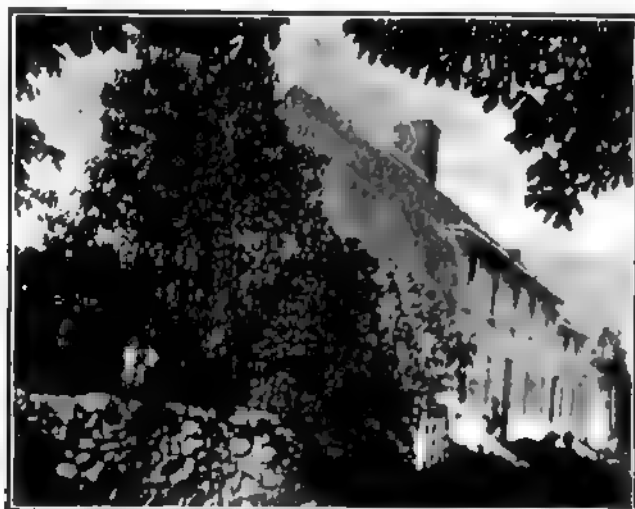
"Two Continental battalions were thrown forward by General Sullivan to the support of his exhausted troops, and at the critical moment a desperate charge with the bayonet was made by Colonel Jackson's regiment, led by the gallant Lieutenant-Colonel Henry B. Livingston. This furious bayonet charge, says an eye witness, immediately threw the balance of victory into the American scale.

"And now it was that the newly raised black regiment, under Colonel Christopher Greene, justified the hopes of its leaders and contributed in no small degree to decide the fortunes of the day.<sup>1</sup> Headed by their major, Samuel Ward, and posted in a grove in the valley, they three times drove back the Hessians, who strove in vain to dislodge them, and so bloody was the struggle that on the day after the battle the Hessian colonel who had led the charge applied for a

<sup>1</sup>This has been made the subject of a most valuable essay by Sidney S. Rider, Esq., in which is described the action of these colored troops. It is published in Rhode Island Hist. Tracts.

change of command, because he dared not lead his regiment again to action lest his men should shoot him for causing them so great a loss. While the fight was raging on the right and center of the line, the Massachusetts brigade, under General Lovell, attacked the British right and rear with complete success. Two heavy batteries, brought forward to engage the ships of war, obliged them to haul off. The desperate attempt to turn the American flank had failed, and the battle was already won by Sullivan. The British retreated to their camp, closely pursued by the victorious Americans, who captured one of their batteries on Quaker Hill.

"Sullivan then desired to storm the works, but the exhausted condition of his troops, who had been for thirty-six hours without rest



HALL HOUSE, NEAR BRISTOL FERRY, PORTSMOUTH.

During the battle of Rhode Island this house was used as a hospital by the Continental forces.

or food, and continually on the march, at labor or in battle, compelled him to abandon the attempt."

A vivid description of the scenes within the British lines that August day is found in the account given by Mrs. Mary Almy, the wife of Benjamin Almy, of Newport, in her diary of events including and preceding the battle, written in the form of letters to her husband. Mrs. Almy was a pronounced Tory and resided in Newport during the time it was occupied by the British, while her husband was fighting in the patriot army. The author of the diary is mistaken in her dates of the events which then transpired, if her words have been correctly



transcribed,<sup>1</sup> but they lose none of their interest on that account. Saturday morning she writes:

“All is peace and quietness in the Town. The first news was the Provincials had moved their encampment, carried off all their Artillery stores and Provisions and gone to the lower part of the Island to Secure their retreat. General Piggott gave orders for the 43rd and 22d Regiments and the Hessian & Anspachers to pursue them by day light.

“In a few hours a heavy firing was heard; he then gave orders for Fanning’s Regiment to go to their assistance, and two hours after, gave orders for the 33d to March directly, and for Fanning to return within the lines and at 11 o’clock sent a Light horseman to call the 38th back. All was horror and confusion. The Hessians overtook a party in the West Road near the Redwood barn; they pursued with violence; the others retreated with prudence leaving the roads strewn with dead bodies. The East road was a scene of blood and slaughter from Cousin Almy’s down to the foot of Quaker Hill. All the cross roads were filled with them and they kept up a smart firing till 2 o’clock and then they began to bury the dead and bring in the wounded. Oh! how many wretched families were made that day. It would have softened the most callous heart to see the cartloads of wretched men brought in, their wives screaming at the foot of the cart in concert with their groans; fine youths with their arms taken off in a moment. In short its too far beyond my power of description. The horrors of that day will never be quite out of my remembrance. I quitted Company and hid myself to Mourn in silence for the wickedness of my country. Never was a heart more differently agitated than mine. Some of my good friends in the front of the battle here; and Heaven only knows how many of the other side. Instead of inquiring the news, or asking after a Soul a stupidity took hold of me. At last I shut myself from the family to implore Heaven to protect you and keep you from imprisonment and death. Every dejected look, and every Melancholy countenance I saw I trembled for fear they would say your husband lies among the slain or that he is wounded and a prisoner. Think you what a life I live, knowing your proneness to get into danger.”

Another resident<sup>2</sup> of Newport thus writes in his diary, that 29th day of August:

“Saturday August 29. Early this morning a report prevailed that the Provincials were leaving the Island. Immediately the English Regiments with the Anspach chasseurs and Hyn. Regiment of Germans sallied from the line and attacked a party of Provincials on the road, but were beaten off with loss. The Provincials halted at Windmill Hill, and were followed by the King’s Troops when a smart battle

<sup>1</sup>Fleet S. Greene’s diary, Historical Magazine, 1860, vol. iv.

<sup>2</sup>Newport Historical Magazine, vol. i, page 17.

ensued. The 22d, 43d and Anspach and Hyn Regts. met with great loss. At 10 o'clock they began to bring the wounded men into town. All carts are taken up to bring them."

In the conduct of the retreat from the Island, Sullivan showed great skill and generalship. The sentries of the two armies were located, after darkness set in, within four hundred feet of each other, making it necessary to exercise the greatest caution in every movement that the American commander made. In order to mislead the British as to his real purpose of retreating from the Island, Sullivan directed a part of his troops to begin at once to fortify the position to which he had withdrawn, and had others employed in setting up tents, all of this being within full sight of the enemy. Meanwhile the teams were busy in hauling the heavy baggage and artillery to the water's edge at Howland's Ferry, where all was safely floated across to the mainland. As soon as it was sufficiently dark to cover the movements the tents, which had just been pitched, were struck and the main army began its journey from the Island, and by midnight the whole body of troops were safely on the mainland.

In all of the accounts of these operations it is stated that the retreat was conducted so successfully that not a man or piece of baggage was left behind on the Island, but the narrative of Lieutenant John Viall, of Johnston, who served gallantly all through the war, tells a different story, for he states that, "Being on piquet guard, they forgot to notify him at the retreat, and he fell into the hands of the British, and was kept for a long time in one of the prison ships in the harbor of Newport"; and Col. Israel Angell, in his diary telling of the events that day, states that Viall and fourteen others were taken prisoners.

The boats in which the troops were transported to the mainland were in charge of men especially selected by General Glover, and were almost entirely Marblehead and Salem fishermen. Glover's regiment<sup>1</sup> was sometimes called the "Amphibious regiment", from the fact that nearly every man in it had followed the sea. His men had performed a similar service at another critical period, for it was these hardy sailor boys who manned the boats in Washington's retreat from Long Island. This regiment seems to have been providentially at hand when the service which it was peculiarly fitted to perform was most in demand. The following certificate<sup>2</sup> gives the names of two of the men in charge of General Sullivan's boat during these operations:

"Providence May 12, 1779.

"This may certify that Mr. John Angell served with me in Gen. Sullivan's boat Twenty days in the Expedition against Newport Last summer. . . .  
Test John Brown."

<sup>1</sup>A complete list of the men in General Glover's Massachusetts regiment is printed in Rhoades's History of Marblehead.

<sup>2</sup>Providence Town Papers, No. 1680.

In the midst of the retreat General Lafayette, who had ridden from Boston with the message from the French admiral, arrived upon the scene. He was sorely disappointed at not having been present during the more active operations of the battle, but was yet of great service in covering the retreat, being in command of the rear guard.

Conspicuous in these movements were the services of a company known as General Sullivan's Life Guards. It consisted of picked men from the various regiments in Sullivan's army, most of whom were from Rhode Island regiments; four of the men in this company, Aaron Mann, Levi Hoppin, George Potter and John Westcott, were publicly thanked by General Sullivan in the following General Order:

"Headquarters September 10, 1778.

"General Orders for the day—To-morrow.

"At the gallant behavior of the General's Guards, on Rhode Island, the General expresses his highest satisfaction, and returns them his thanks, and appoints Aaron Mann, who commanded the Guards on Rhode Island, to the rank of Captain, Levi Hoppin, First Lieutenant, George Potter, Second Lieutenant, and John Westcott, Ensign. The General assures them they shall have the Commissions as soon as possible.  
John Sullivan."

Subsequently the Council of War directed commissions to issue.

At the time of the engagement, this body was commanded by Aaron Mann, then sergeant of the company, and was located in a most exposed position. Years afterwards when Captain Mann made application for the benefit of a pension, Levi Lee, of Cumberland, a member of the company, testified to the bravery and daring shown by his commander on the occasion, and stated at a certain point in the heat of the action, while Mann was in the act of flourishing his sword, a bullet struck his hand, shooting away one of his fingers, but he maintained his position, remarking as he viewed his injured member, "The d—— eternal souls shoot pretty close. Don't mind, my boys, stick to 'em".

Obadiah Brown, one of the company, was killed in the retreat, while another, Charles Scott, was made a cripple from a shot in the hip. There is no roll of this company in the State archives and only one is known to be extant,<sup>1</sup> and for that reason is here inserted. It is for a period some time later than that when its conspicuous service was performed, and is made up as follows:

"A Paye Abstract of Major Gen. Sullivan's Life Guards, Commanded by Aaron Man Captaine from the 16th of December 1778 Untill the 16 March 1779 Three Months Aaron Man Capt, Levi Hoppin Lieut, George Potter Lieut, John Westcott Ensign, Whipple

<sup>1</sup>The property of Fred A. Arnold, Esq., of Providence, R. I.

Crow 1 Sargt, Jsreal Low 2 do, Isaac Manchester 3 do, Jsaac Clapp 4 do, Nathan Swetland 1 Corp, Amos Chase 2 do, Caleb Teel 3 do, Daniel Bowen 4 do, William Grafton Drum, Arthur Fenner fifer, John Williams, Saml Oxx, Joseph Pool, Arates Swetland, Sam Mackintosh, Darus Antram, Henry Warner, Christr Bates, Jerard Baly, John Greene, John Lewis, Jona Parker, Stephen Maxen, Joseph Davis, Pardon Sheldon, Zebelon Freeman, Benj Mathews, Saml Giles, Shubrig Rampyr, Edward Williams, William Ladd, Caleb Kinyon, Augustus Hanen, Clarke Hitchcock, Wart Stillman, Timothy Chatman, Robart Jackson, Joseph Bencly, Eseck Smith, Nicholas Jencks, Foarde Westcott, John A. Shaft, Ephriam Smith, Thomas Davis, Rufus Sanders, Jesse King, Lewis Rowland, Joshua Remington, Comfort Wetherhead, Jsaac Harte, John Benjamin, Randall Rice, Benj Dexter, Henry Randall, James Wardwell, John Monrow, Charles Walker, Aholiat Branch, Nicholas Branch, Levi Lee, Peleg Peck, William Reed, James Hunton, Charles Scott, Paul Brumley, Antram Fenner, Morris Tucken, Stephen Remington, Jeremiah Chace, Rupee Bacholler, Archable Jackson."

From the endorsement on this roll it appears that Joseph Pool was from Colonel Elliott's Regiment, while others were from Colonel Crary's and Colonel Topham's regiment. The roll is subscribed and sworn to by "Aaron Man Capt. and John Westcott Ensign".

The losses sustained in this battle are variously estimated.<sup>1</sup>

After crossing to the mainland Sullivan established his headquar-

<sup>1</sup>Dr. Gordon, in his *American War (Brit.)*, vol. iii, p. 167, gives Americans, killed 30, wounded 132, missing 44. British killed 38, wounded 210, missing 12.

Ramsay's *American Revolution*, vol. 2, p. 128, says: "The loss on each side was between two and three hundred."

General Heath, in his *Memoirs*, p. 193, gives Americans killed 60, wounded 180, loss of the British unknown.

Max von Ellking, *Die deutschen Hulfstruppen im nordamerikanischen Befreiungskriege, 1776 bis 1783*, vol. ii, pages 30-44, gives German loss 19 killed, 96 wounded, 13 missing.

See also Lowell's *Hessians in the Revolution*, p. 219.

Sir Robert Pigot, in his report in *Stone's French Allies*, p. 114, gives loss as follows:

"One captain; one volunteer; four sergeants, thirty-one rank and file, one drum, killed. Two captains, five lieutenants, seven ensigns, thirteen sergeants, one drummer, one hundred and eighty rank and file, two drivers, wounded. One lieutenant, one sergeant, ten rank and file missing."

General Sullivan, in his report to the president of Congress, in *R. I. Historical Tract No. 6*, states: "It has been ascertained that the enemy's loss in the action of the twenty-ninth of August, amounts to a thousand and twenty-three killed, wounded and missing." His own loss he states to be two hundred and eleven killed, wounded and missing.

Stedman, in his *American War (Brit.)*, vol. ii, p. 36, says: "The loss of the provincials in killed, wounded and missing, during the various engagements of this day, amounted to two hundred and eleven men including officers; and so obstinately did they dispute the ground with their pursuers, that the loss of the British troops was not much inferior."

ters at Tiverton, and two days after the battle issued a general order dismissing the militia which had been called out for this enterprise.<sup>1</sup>

The regular army, however, was disposed of at various points along the bay side, so as to be at hand if the enemy, elated at its success on the island, should attempt to make any further incursions. General Cornell's brigade was stationed at Tiverton. General Varnum's brigade was ordered to Bristol and Warren. The troops under General Glover and Colonel Jackson established a post at Providence, Colonel Greene's detachment garrisoned at East Greenwich, General Tyler's at Warwick Neck, while General Lovell's and General Titcomb's brigades took post at Pawtuxet. Maj.-Gen. Nathanael Greene commanded on the western shore, General Lafayette on the eastern shore, and the force at Providence was under the command of General Glover.

Colonel Jackson's regiment remained at Providence until the 10th of July, 1779, when it marched to form a part of the Penobscot expedition. During its stay at Providence, Dr. James Thatcher, the author of the *Military Journal of the American Revolution*, joined the regi-

Marshall, in his *Life of Washington*, vol. iii, p. 509, says: "According to the return made by General Sullivan, his loss in killed, wounded and missing was two hundred and eleven". The return of losses by General Pigot was two hundred and sixty. Arnold's oration on anniversary of the battle, Aug. 29, 1878, in *R. I. Hist. Tracts* No. 6, page 29, gives American loss 211, British 1,023.

<sup>1</sup>The following muster and pay rolls for the period covered during the operations on Rhode Island will give the names of Rhode Island officers and men who participated in the battle. That this list is complete is of course doubtful, owing to the imperfect condition of the military records of this period. These rolls are in the office of the Secretary of State.

A pay abstract for the Company of the Captain General's Cavaliers for services in the late expedition to Rhode Island from July 26 to August 31, 1778, vol. iv, p. 42.

A pay roll or abstract of Captain William Whipple's Company in Col. Topham's Regiment from the 16th of August to the 16th of September, 1778, vol. iv, p. 63.

The following Muster and Pay rolls of Companies in Colonel Israel Angell's Second Rhode Island Regiment in the Continental Service of General James M. Varnum's Brigade. Captain Stephen Olney's Company for August and September, 1778, vol. iii, p. 87.

Captain William Humphrey's Company for August and September, 1778, vol. iii, p. 122.

Captain William Hughes's Company for August and September, 1778, vol. iii, p. 109.

Captain William Tew's Company for August and September, 1778, vol. iii, p. 106.

Captain David Dexter's Company for August, 1778, vol. iv, p. 36.

Captain William Potter's Company for August, 1778, vol. iii, p. 110.

A pay roll of Captain Andrew Harris's Company in Col. John Mathewson's Regiment in the service of the United States, Second Division. The time covered is from August 21 to 31, 1778, vol. iii, p. 59.

A pay abstract to the United States of America of Captain James Snow's



ment as surgeon, having been invited by Dr. Townsend, then the surgeon in the military hospital of Providence. In his journal he makes frequent reference to his visits in the adjoining country. After the return of the troops from this expedition, Jackson's regiment was ordered again to Providence, where it arrived on the 28th of September and encamped at Fox Point. The Sunday following its arrival Thatcher writes in his journal: "I rode with several officers to Pawtuxet, to attend the religious services of the celebrated Mr. Murray,<sup>1</sup> whose professed doctrine is the universal salvation of mankind. Mr. Murray is not admitted into the pulpit of the orthodox clergy; his peculiar sentiments are revolting to the consciences, and repugnant to

Company in Col. John Mathewson's Regiment that served in the late Expedition to Rhode Island in August, 1778. The time covered is from August 21 to 31, 1778, vol. iii, p. 60.

A pay abstract of Captain Fred Williams's Company in Col. John Mathewson's Regiment in the second division on an Expedition against Newport. The time covered is from August 21 to 31, 1778, vol. iii, p. 60.

Pay abstract of Captain Keene's Company in Col. John Mathewson's Regiment from August 21 to September 1, 1778 on duty in the expedition against Rhode Island, vol. iii, p. 77.

Pay roll of Field and Staff officers of a Rhode Island Battalion of Foot in Service of the United States of America commanded by Col. Israel Angell, for the month of August and September, 1778, vol. iii, p. 77.

General abstract of a Rhode Island Battalion commanded by Col. Israel Angell from August 1 to September 30, both days inclusive, 1778, vol. iii, p. 84.

Among the Military Papers in the possession of the Rhode Island Historical Society is the

Abstract of pay of Captain Joseph Sprague's Company of militia in Colonel Chad Brown's Regiment in the second division against Rhode Island. The time of service was from August 21 to 31, 1779. No. 330.

Among the manuscripts in the private collection belonging to Fred W. Arnold, Esq., of Providence, is

A pay abstract of Captain Amos Whipple's Company in Col. John Mathewson's Regiment, 2d division. The time of service was from August 21 to September 1, 1778.

In Volume iii, p. 550, of the Rhode Island Colonial Records, the following reference is found to Colonel Archibald Kasson's Battalion.

Colonel Archibald Kasson's battalion in the second division in the expedition upon Rhode Island consisted of the following companies from the 21st of August, 1778, to the 31st of August, 1778, both days included: Captain Rhodes's Company; Captain Hopkins's Company; Captain Randall's Company; Captain Willard's Company; Captain Johnson's Company; Captain Draper's Company; Captain Ray's Company; Captain Weaver's Company; Colonel Chad Brown's Regiment was included in the second division in this expedition, as was also Colonel John Mathewson's regiment. Mathewson's was the first regiment of the County of Providence and Brown's was the second regiment of the County of Providence.

There are many company lists in the State Archives and among the Rhode Island Historical Society's manuscripts referring to the Expedition against Rhode Island, but they cover a time previous to the day of the battle.

<sup>1</sup>Mr. Murray sometimes preached in the Beneficent Congregational Church in Providence, and also at the Old Town House. See Staples's Annals of Providence, p. 451 and 475.





FLAG CARRIED BY ANGELL'S SECOND RHODE ISLAND REGIMENT DURING THE REVOLUTIONARY WAR. IT IS PRESERVED WITH THAT OF THE FIRST RHODE ISLAND REGIMENT IN THE STATE HOUSE AT PROVIDENCE. WHEN THESE TWO REGIMENTS WERE CONSOLIDATED—JANUARY 1, 1781—BOTH BECAME THE COLORS OF THE RHODE ISLAND REGIMENT. PRESENTED TO THE STATE BY JEREMIAH OLNEY, THE LAST COLONEL OF THE REGIMENT, IN BEHALF OF THE OFFICERS OF THE REGIMENT.

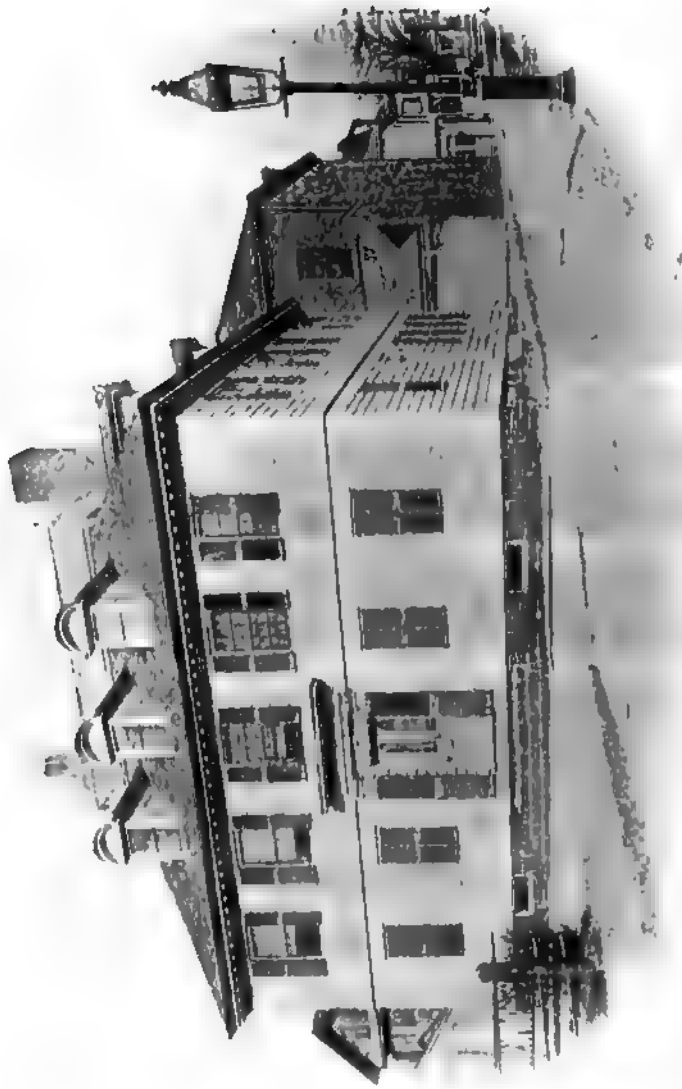
the belief of a large proportion of the people of New England. In this village the people are destitute of an ordained minister. The audience was numerous and the preacher peculiarly eloquent; freely and solemnly declaring the sentiments which he has adopted and quoting various portions of Scripture to enforce a belief in the opinions which his own conscience and judgment approve."

The regiment left Providence early in November and took up its march to the westward.

On the 11th of October, 1779, a large fleet of transports arrived in Newport harbor, for the purpose of transporting the British army, which had been in possession of the town and a portion of the State for nearly three years.

Col. Israel Angell, of the Second Rhode Island Regiment, whose headquarters was at Barber's Heights, a commanding eminence on the west shore of the bay in North Kingstown, notes his observations of the movements of the enemy during the days following the arrival of the transports. On the 20th of October he says: "This day I sent a boat to reconnoiter Conanicut, to see what discoveries was to be made. Ensign Wheaton went in the boat and brought off one Jonathan Greene, a very sensible young man, who lived within the lines, who informed us that the enemy was going to evacuate the island, had got all their heavy baggage and cannon on board, had burnt their platform in the North Battery". On the 22d he notes: "There was some hundreds of people out of the country on the hill looking out to see the fleet go off, but the wind not being fair prevented their sailing". It was not until the 25th that the enemy sailed, and the departure of the troops, which had menaced the people of Rhode Island so long, is thus quaintly expressed by Angell in his diary: "October 25, 1779. A fine pleasant morning and the fleet remains the same as yesterday, about the middle of the day the enemy begun to burn their barracks and great movement was seen among them, there was a great number of people in camp to see the fleet sail, among the crowd was Governor Green's lady and daughter, the Britains was busy in Imbarking all the afternoon, by sunset was all on board and the fleet set sail just after sunset before eleven o'clock in the morning was all without the light house and we making preparations to take possession of the town".

The French army, destined to play an important part in the struggle for American independence, arrived in America in July, 1780. The force sailed from France in twelve ships of war and thirty-two transports. Six thousand troops, commanded by Lieutenant-General le Comte de Rochambeau. The regiments were the Bombonnois, Royal Deux Ponts, Soissonnois Saintonge and Louzon's Legion, with a battalion of artillery, a corps of sappers and miners, and of the Royal



THE VERNON HOUSE, NEWPORT, R. I.  
HEADQUARTERS OF ROCHAMBEAU AND HIS STAFF DURING THE FRENCH OCCUPANCY OF NEWPORT  
IN THE AMERICAN REVOLUTION.

Guides. On the 11th of July the army landed in Newport and at once occupied the works which had been in the possession of the English army. These works were repaired and strengthened. The arrival of the French allies was hailed with joy throughout the country. During the French occupancy of Newport, Rochambeau had his headquarters at the Vernon house, a house still standing, situated on the corner of Clarke and Mary streets.

During the years immediately following the Revolution great interest was manifested in the militia by the people of Rhode Island. The heroes of the war which had just closed entered with all the enthusiasm that had characterized their connection with active service, and many of them held commissions in the various commands.

Besides the regular militia regiments provided by the State laws for the different counties, innumerable independent commands were organized, each of which seems to have tried to secure a name that would give it prominence and inspire a martial spirit. Before the beginning of the nineteenth century there had been chartered by the General Assembly the following independent military organizations: Captain-General Cavaliers, United Company of the Train of Artillery, Pawtuxet Rangers, Gloucester Light Infantry, Washington Independent Company of Exeter, North Kingstown Rangers, Charlestown Independent Company, Coventry Rangers, Cranston Blues, Smithfield Grenadiers, The Governor's Independent Company of Light Infantry, Scituate Hunters, Kingstown Reds, Washington Cavalry, Johnston Rangers, Newport Guards, Governor's Independent Company of Volunteers, Bristol Train of Artillery, Cumberland Light Infantry, Ready Volunteers, West Greenwich and Coventry Light Infantry, Kentish Guards, Kentish Light Infantry, Federal Blues, Portsmouth Light Infantry, Foster Safe Guards, Tiverton and Little Compton Dragoons, Bristol Grenadiers, Gloucester Grenadiers, Kentish Troop of Horse, Newport Artillery Company, and Providence Independent Dragoons. In later years other independent companies sprang into being, the most prominent of which were The First Light Infantry Regiment, the Providence Marine Corps of Artillery, and the Warren Artillery.

On the 18th of June, 1812, war was declared by the Congress of the United States against Great Britain.

Almost with the declaration of hostilities the principal part of the United States troops which were stationed at Fort Adams and in Newport harbor, and which were thought necessary for the proper protection of the State even in time of peace, were withdrawn from its borders. At the same time the State was called upon to furnish 500 men, including officers, its quota of the 100,000 men ordered to be raised for the war. The defenseless condition of the State, with ugly

rumors of British war vessels hovering on the coast, produced a feeling of great uneasiness among the people. The State was placed in a perilous situation. Governor Jones had promptly called upon the president for arms, ordnance and ammunition to equip the State's militia, but his requisitions were for a long time disregarded, and it was late in October before he received an order for 1,000 stand of arms, only half the number necessary for the equipment of the State's force. The forts and batteries along the bayside and seacoast had remained idle and deserted for many years, the embankments were washed away in many cases, and their equipment of ordnance, insufficient at its best, was scattered. "Under the circumstance", says Governor Jones, in his message to the General Assembly at its October session, "should the President of the United States refuse to supply this State with the Ordnance and ammunition, for which I was requested to apply, and the protection the general government were in duly bound to afford, and for which this State has contributed so largely, and leave us to the mercy of an invading army, it will not only be the duty of every citizen to be prepared for that event, but of the General Assembly to make an appropriation in aid thereof, to which I request your attention."

On the 21st of July General Dearborn sent a request to Governor Jones for two companies of artillery and two of infantry, with a major for immediate service, to man the forts and batteries at Newport. Authority was given the independent companies in the State to increase their ranks, and the acts and orders of the General Assembly, providing ways and means for prosecuting the war, which had been introduced and passed closely upon the declaration of hostilities for more than a hundred years, were again in different form submitted for the consideration of the legislators. In February, 1813, Governor Jones reported that 1,000 stand of arms had been received from the general government, and that 500 of them had been assigned to the town of Newport and 500 to the town of Providence. An account of the ordnance in the custody of the State showed that there was one pair of brass field pieces in the care of the Newport Artillery, commanded by Col. Benjamin Fry. One pair in the care of the Artillery Company in the town of Warwick, commanded by Col. Charles Brayton, and one pair in the care of the Artillery Company of Bristol, commanded by Col. William Throop. Requisition was made upon the president for a pair of brass field pieces lying at Fort Wolcott and not then in use, but the requisition was not honored. During the war alarms were frequent, caused by reports of British ships being seen off the coast, and the militia of the State was distributed along the seaboard to oppose the landing of any force of the enemy. The records of the time give little information relative to the details of

service performed by the militia.<sup>1</sup> From such as are to be found, however, it appears that in August, 1814, the companies of Capt. John Burrington, Capt. Samuel Warren and Capt. George Sweet were stationed at Brenton's Neck in Newport. Artillery companies were stationed at Little Compton, Tiverton near Stone Bridge, Warren, East Greenwich and at Barber's Heights, North Kingstown. In September six field carriages for heavy cannon were received from the general government and were at once put in service. At this time the fortifications, which had been in process of construction since the beginning of hostilities, were completed, armed and equipped, and General Swift, of the United States army, was ordered to Rhode Island to ascertain their condition and utility. In company with Governor Jones he made a tour of the seaboard and they personally inspected all the works.

The old forts and earthworks which had been thrown up during the Revolutionary struggle were again the scenes of warlike movements.

Newport harbor was at the beginning of the war protected by Fort Adams, which had only been built a few years and was fully equipped with heavy guns and ordnance stores. Other smaller works were located within the harbor. At Providence, however, no substantial works were located, and should the enemy's ships succeed in passing the forts at Newport and the batteries along the shore, the town was liable to destruction.

Spooner Ruggles, William Farrier, John Brown, James M. Sabin, Joshua A. Sabin and Samuel Y. Seamans were appointed river guard and assigned to duty on board the guard brig *Mary*, a vessel hired for the purpose and belonging to Young Seamans of Providence. This guard ship was stationed in the river between Field's Point and Kettle Point. The rules for the conduct of the "river watch" required that the watchmen spend the night in a small boat, cruising between the guard ship and Sabin's Point and across the river, directing their courses in such manner as to examine each shore. "Three men were to go in a boat", and three remain on board the brig, beginning at or before nine o'clock each night. In the event the guard should discover any hostile force or suspicious movements, they were to immediately repair on board the guard ship, and if in the opinion of the commander the occasion warranted it, to fire the carriage gun and as soon as possible light the beacon.<sup>2</sup> The guard, however, were impressed with the importance of observing great caution in spreading an alarm.

<sup>1</sup>A volume is now in preparation, to be issued under the patronage of the State, containing the list of all officers from Rhode Island who served during the war, the title of which will be "Military and Civil Lists of Rhode Island, 1800-1850."

<sup>2</sup>No record has been found of the location of the beacon; it may have been on the hill where the beacon was erected during the war of the Revolution.



Between July 28, 1813, and July 24, 1814, five cartel ships arrived in the harbor of Providence, bringing to the town 1,066 prisoners, mostly Americans, and many of them sick and wounded. Thomas Cole, collector of the port, under the direction of the commissary-general of prisoners, made provision for their support until they were in condition to again enter the service, as many of them did, or until they could engage in other occupations. Such English prisoners as were brought in, however, were sent on board a prison ship anchored between Fox Point and Field's Point. As many of these prisoners were brought from the West Indies, Barbadoes and Jamaica, the rules for quarantine were rigorously enforced and precaution taken against the introduction of an infectious disease.

In July, 1814, a committee, consisting of James B. Mason, John Carlisle and William Blodgett, was appointed to fortify Field's Point. At this locality were two forts, built during the Revolutionary struggle, one on the high hill at the point, another on Robin Hill nearer the shore; these were repaired and guns mounted therein. In addition to these works, this committee laid out and built on the end of the point, just above tide water, a substantial work, which they designated Fort William Henry.<sup>1</sup> It is well preserved at this date. In addition to this work others were thrown up at Kettle Point, directly opposite Fort William Henry, which were built jointly by the people of Seekonk and Providence. On the heights on the Lyon's shore was an old work, thrown up during the Revolution. This was repaired and put in order for use; it is to-day fairly well defined and is located on what is called Fort Hill in East Providence.

A line of breastwork was thrown up near the hospital and another on the Cranston road; besides these, other works were built at Fox Point, one on the Pawtuxet road near what is now Trinity square, and another near what is now the junction of Broadway and Federal streets. All these means of defending the town against the enemy were laid out and constructed under the direction of a "Committee of Defense", composed of citizens of the town. This committee met almost daily from September 19, 1814, to January 16, 1815, in the south chamber of the Washington Insurance Co. building.

The following memorandum will show as clearly as could be ascertained at the time the amount of labor expended in constructing fortifications in the vicinity of Providence, in September and October, 1814, as collected by the late Zachariah Allen, who was secretary of this committee:

<sup>1</sup>For a detailed account of the expense attending the construction of the fort see the "Accounts of the Committee for fortifying Field's Point, 1814", in the custody of the Record Commissioners of Providence.

	Days of labor.
United Train of Artillery performed about	145
Greene Association	55
Marine Artillery	120
Volunteer Company	78
Cadets	140
Students of Brown University	120
Gentlemen of the Bar	28
Freemasons	200
Free people of color	96
Inhabitants of Seekonk	150
“        “    Gloucester	120
“        “    Scituate	165
“        “    Smithfield	70
“        “    Johnston	190
“        “    Burrillville	60
“        “    Foster & North Providence	100
“        “    Cumberland & Mendon	90
“        “    Cumberland Company of horse	33
“        “    Providence	980
Various other volunteers	160
	— —
Total	3,100 days

In order to impede the progress of the enemy's ships, should they attempt to come up the river, a line of hulks was anchored off Pawtuxet, ready to be sunk at a moment's warning and block the channel. A line of communication was established between the South Ferry and Point Judith, to give notice throughout the State if any hostile movements of the enemy should be discovered. Thus was the State protected during those days of darkness and doubt; happily, however, the enemy did not enter these waters. All danger of such an invasion had ceased some time before the news of peace had been received. This welcome news reached Rhode Island on the 12th of February, 1815. In Providence the bells in the churches were rung and the artillery fired salutes of victory. The weather was fearfully cold, yet the next day, one who remembered the occasion well has said: "The streets of the town were thronged with people, hand shaking and rejoicing, and in the evening the whole town was illuminated to celebrate the end of war and the return of peace".

For a period of thirty years the militia of the State was not engaged in more hazardous duties than those imposed by the General Muster. This was the great fete day of the year; it brought together a large concourse of people and was an occasion of patriotism, ginger bread, and Medford rum. Preparations for muster began some time before the date fixed for the event. The great field for the muster was selected by the regimental officers with great care; special attention

was paid to its size and condition, for it must be smooth, level grass land, and within reasonable distance of a good place for a rendezvous, usually a good tavern. In some of the towns regular training fields were used year after year. The troops were usually required to be in line by seven o'clock in the morning, and the men were warned to appear by five or six o'clock, so that company organizations might be made and breakfast eaten in season for regimental formation. The muster field was lined with little booths and stands where various articles, ginger bread, small beer, and some larger liquids were disposed of to the crowd always attending the muster.

These peaceful and spectacular exercises of the militia were somewhat interfered with in 1842, when what has generally been called the Dorr War upset the internal affairs of the State. The State's military

## **TO THE CITIZENS**

**OF PROVIDENCE!!!**

**You are requested FORTHWITH  
to repair to the**

**State Arsenal  
and TAKE ARMS.**

**SAMUEL W. KING.**

*Governor of the State of Rhode Island.*

*Providence, May 17, 1842, 6 o'clock P. M.*

**PROCLAMATION ISSUED DURING THE "DORR WAR."**

The Providence Journal on the 18th of May, 1842, says: "Every man should arm himself and hold himself in readiness to obey the orders of the Governor. Governor King last night issued a proclamation calling upon all his friends to arm themselves at once. They accordingly did so." This was issued the day the attack was made on the Arsenal.

From the original in the possession of the Rhode Island Historical Society.

force played its part in this affair, but in the same way that such a force would act if called upon by the governor to quell a riot. The Dorr War, or by whatever name this episode may be called, belongs to the political history of the State rather than the military, and is therefore not included in this chapter.<sup>1</sup>

No State responded more promptly to the call to arms in 1861 than did Rhode Island. President Lincoln's proclamation on April 15 for 75,000 volunteers for three months' service was received with demonstrations of the wildest patriotic enthusiasm.

<sup>1</sup>For a full account of this constitutional struggle and the part taken by the military force of the two parties consult "The Dorr War" by Arthur May Mowry, Providence, 1901.

A regiment of infantry was at once organized, twenty-five hundred men volunteering, fifteen hundred more than was necessary or required; these men came from all over the State and from all stations in its social and business life.

It was only with the greatest difficulty that the selections were made for representation among the towns for the companies of which this regiment was to be formed, so great was the desire of the citizens of the State to be numbered in its ranks. It was finally made up of six companies from Providence, one from Newport, one from Pawtucket, one from Westerly and one from Woonsocket.

Ambrose E. Burnside, then treasurer of the Illinois Central Railroad, was hastily summoned from New York, where he then had an office, and placed in command of the regiment.

Within five days after the call for volunteers, the first half of the regiment, under the command of Colonel Burnside, left Providence for Washington (April 20), and four days later the second half, under Lieut.-Col. Joseph S. Pitman, proceeded thither. A battery of artillery was also organized by Capt. Charles H. Tompkins, and under his command left Providence on the 18th of April, and after spending some days at Easton, Penn., in drill, arrived in Washington May 2, the first volunteer battery that entered the service.

The question of money for the support of the militia, called into service at various times when war had been declared, was one that had required most careful consideration by the Legislature of the Colony and State from the earliest days of its settlement. In every other such emergency timely warning had been given and money was freely provided, but with the outbreak of the Rebellion and this call for troops the Legislature was not in session, nor was there time to call a special session to authorize the great expenditure of money which the emergency required. At this crisis Governor Sprague, for himself and the firm of A. & W. Sprague, guaranteed that the expense incurred should be paid, and thus enabled the troops from Rhode Island to more speedily get to the front.

Meanwhile the situation had reached a point where it was plainly apparent that a greater force was needed, and that enlistments for a short period were useless; and when President Lincoln issued his second proclamation for more troops, enlistments were for three years or the war. On the 18th of June Governor Sprague issued an order for the organization of a second regiment of infantry and a battery of artillery, and a camp for the purpose of organization was established on the Dexter Training Ground. Maj. John S. Slocum, of the First Regiment, was appointed colonel, and William Goddard, then a colonel on the governor's staff, was appointed temporary lieutenant-colonel.

Colonel Goddard soon after was assigned to other duties and his place was taken by Charles T. Robbins, also acting temporary lieutenant-

ant-colonel. On June 19 the regiment struck their tents and marched to Exchange Place, where appropriate exercises were held, and then resumed the march to Fox Point, where it embarked on the steamer State of Maine. The regiment arrived in Washington on the 22d, accompanied by Governor Sprague, John R. Bartlett, secretary of state, and Bishop Clark. This regiment had a most honorable record and was engaged in nearly all the great battles of the war, participating in the battles of First Bull Run, Yorktown, Williamsburg, Malvern Hill, Antietam, Fredericksburg, Marye's Heights, Salem Heights, Gettysburg, Rappahannock Station, Wilderness, Spottsylvania, Cold Harbor, Petersburg, Fort Stevens, Opequan, Hatcher's Run, Sailor's Creek, and the surrender at Appomattox. It was mustered out of service May 24, 1865, and arrived in Providence the 17th of July following.

The first regiment which was enlisted for three months participated in the first battle of Bull Run. With the regiment at this time was Governor Sprague, who had a horse shot under him during the battle. This regiment, having completed its term of service, arrived in Providence Sunday morning, July 28, and was mustered out August 2 following. The First Light Battery, R. I. Volunteers, completed its term of service at the same time and arrived in Providence July 31. In August another regiment of infantry was organized, the third. During its formation it was located at Camp Ames, on the Spring Green farm, Warwick. Early in September it left Providence for Fort Hamilton on Long Island.

Special orders No. 333, dated December 19, 1861, from the Adjutant General's Office at Washington, changed the name of the regiment officially to that of the Third Regiment Rhode Island Heavy Artillery, and authorized it to be recruited to twelve companies of one hundred and fifty men each. It was the largest military organization up to that time ever sent into the field by the State of Rhode Island, and its term of service was a few days over four years. As evidence of the service which this regiment performed the names of the following sieges and battles were authorized to be inscribed upon the regimental colors: Fort Pulaski, Secessionville, Pocotaligo, Morris Island, Fort Sumter, Fort Wagner, Olustee, Drury's Bluff, Laurel Hill, Honey Hill, Deveaux Neck, Fort Burnham and Petersburg. Nathaniel W. Brown was its first colonel.

In September the Fourth Regiment Rhode Island Volunteers was organized by Col. Justus I. McCarty, U. S. A. This regiment was stationed near Apponaug at Camp Greene, so named in honor of Gen. Nathanael Greene. On the 5th of October the regiment broke camp and left for Washington. Soon after arriving Col. Isaac P. Rodman was appointed to its command, the commission of Colonel McCarty being revoked. The regiment participated in the battles of Roanoke

Island, Newbern, Fort Macon, South Mountain, Antietam, Fredericksburg, Suffolk, Weldon Railroad, Poplar Spring Church and Hatcher's Run.

It arrived in Providence, after more than three years of active service in the field, on October 7, 1864, and was mustered out of service on the 15th.

Meanwhile a regiment known as the First Regiment Rhode Island Light Artillery was in process of formation; it consisted of the following batteries: Battery A, mustered in June 6, Capt. Wm. H. Reynolds; Battery B, mustered in August 13, Capt. Thomas F. Vaughn; Battery C, mustered in August 25, Capt. William B. Weeden; Battery D, mustered in September 4, Capt. John A. Monroe; Battery E, mustered in September 30, Capt. George E. Randolph; Battery F, mustered in October 29, Capt. James Belger; Battery G, mustered in December 21, Capt. Charles D. Owen; Battery H, mustered in October 14, 1862, Capt. Jeffrey Hazard; this completed the regimental organization. Charles H. Tompkins was the colonel.

One of the guns which belonged to Battery B of this regiment is the famous Gettysburg gun, now mounted in front of the old State house in Providence. No adequate account of the services performed by this regiment can be given in an account relating to the regiment itself, for the batteries never served in a regimental formation, but as detached bodies, and their services extended over nearly the entire field of action during the war. In June, 1865, the batteries forming the regiment were mustered out of service.

The Fifth Rhode Island Volunteers was organized at Camp Green in October, 1861, from which it was transferred to Camp Slocum on the Dexter Training Ground in Providence. It was enlisted as a battalion with the intention of making it a full regiment. On the 27th of December, five companies then being filled, the battalion departed for Annapolis to join the expedition to North Carolina. It was commanded by Maj. John G. Wright. Upon attaining the proportions of a regiment, Henry T. Sisson was appointed colonel. On May 27, 1863, by order of the secretary of war, the name of the regiment was changed to the Fifth Rhode Island Heavy Artillery. During its service the regiment participated in the following engagements: Roanoke Island, New Berne, Siege of Fort Macon, Rawle's Mill, first attack on New Berne, Kingston, Whitehall, Goldsboro, siege of Little Washington, and the second rebel attack on New Berne. On June 26, 1865, the regiment was mustered out of service at New Berne.

In the fall of 1861 a cavalry regiment was organized as the First Rhode Island Cavalry Regiment. Col. Robert B. Lawton, a veteran of the Mexican war and who had also seen service in the Seminole war in Florida, was placed in command. This regiment was composed of two battalions recruited in Rhode Island and one battalion from New



Hampshire. The winter of 1861-2 was passed in camp at Pawtucket, and in March, 1862, it proceeded to Washington. This regiment saw hard service and was mustered out in Baltimore August 3, 1865.<sup>1</sup>

In the summer of 1862 more troops were called for and steps were at once taken to send another regiment into the field.

In August an attempt was made in Rhode Island to raise a regiment of colored troops, the first step taken towards this end in any Northern State, but for various reasons the project failed, the bane of military affairs, jealousy, being the main cause of the failure. This regiment was to be known as the Sixth Rhode Island Volunteers.

On the 22d of May, 1862, a general order was issued for the organization of the Seventh Regiment Rhode Island Volunteers, to serve during the war. A camp was established in South Providence, named Camp Bliss, for drill and organization.

Here the regiment remained until Sept. 10, when it proceeded to Washington under the command of Col. Zenas R. Bliss. By general orders the names of the following battles in which the regiment had borne a meritorious part were directed to be inscribed on its colors: Fredericksburg, Siege of Vicksburg, Jackson, Spottsylvania, North Anna, Cold Harbor, Petersburg, Weldon Railroad, Poplar Spring Church, Hatcher's Run. The regiment was mustered out of service at Alexandria, Va., on June 9, 1865.

The Eighth Regiment was planned of volunteers for three months, but the Ninth and Tenth regiments, both for that period of service, having been dispatched before its organization, it was considered that no more short term regiments were needed, and further steps towards its organization were abandoned.

A threatened attack upon the National Capital in May, 1862, caused much uneasiness, and a call was made for volunteers for three months' service for the defense of Washington. Within four days from the time the call for Rhode Island's quota was received the Ninth Regiment Rhode Island Volunteers was on the way to the defense of the capital, leaving Providence on the afternoon of May 27, under the command of Col. Charles T. Robbins. Subsequently John T. Pitman was appointed to its command. The service of the regiment was confined to garrison duty, and at the expiration of its term of enlistment it returned to Providence, arriving on the 31st of August, and a few days later it was mustered out of service. Though the names of no hard fought battles were ordered emblazoned on its colors, yet its service was an honorable one and history will give the regiment a deserved place in the reserved power of the nation.

The Tenth Regiment Rhode Island Volunteers was organized at the same time and for the same purpose that the Ninth Regiment was. It

<sup>1</sup>For a detailed account of the history of the various regiments see bibliography at the end of this work.

left Providence on the 27th of May, under command of Col. Zenas R. Bliss, and arrived in Washington on the 29th. During its term of enlistment the regiment performed good service in garrisoning the various forts which defended the western approach to the capital. On the 25th of August, its term of enlistment having expired, the regiment started for Providence, where it arrived on the 28th and was mustered out of service on September 1. Certainly no regiment ever left the State more promptly in response to the governor's call, and no regiment hastened to the rescue of the capital under a more solemn sense of duty. Among the soldiers in the regiment were many of the boys of the Providence High School and students of Brown University.

With the Ninth and Tenth regiments went the Tenth Light Battery Rhode Island Volunteers, or, as it was sometimes known, Company L, Fourth Regiment Rhode Island Infantry. This battery was recruited from the Providence Marine Corps of Artillery. On the 29th of May a detachment of ninety men and three officers proceeded to Washington, and on June 6 another detachment of forty men, followed on the 9th by twenty-five men. The battery was commanded by Capt. Edwin C. Gallup. Though not sent to the front to engage in deadly conflict, it formed an important arm of the defense of Washington at a time when it became necessary to withdraw more experienced troops from the fortifications around the city to reinforce the Army of the Potomac on the Peninsula. The battery was mustered out of service August 30, 1862.

Experience had shown now, if not before, that enlistments for three months were altogether too short terms, even for emergency troops, and when in the summer of 1862 the advance of the enemy across the Potomac and additional troops were called into the field, the term of enlistment was made for nine months. It was for this term of service that the Eleventh and Twelfth Regiments were recruited. The call for 300,000 troops for nine months' service was made on August 4, 1862. On the 23d of September the ranks of the Eleventh Regiment were filled, and on October 1st the regiment was mustered into service. Col. Edwin Metcalf, who had already seen active service, was appointed to the command of the regiment. On the sixth of October the regiment broke camp and departed for Washington, where it arrived on the 8th. The regiment saw little active service in the field, it being assigned to special guard duty and work on fortifications. Upon completing its term of service it was ordered home, and arrived in Providence July 6 and on the 13th the regiment was mustered out. The Twelfth Regiment Rhode Island Volunteers was mustered into service on October 13, under the command of Col. George H. Browne. The regiment participated in the battle of Fredericksburg, where it met with a severe loss of killed and wounded. During its months of

service it was almost continually on the march, and from this fact earned the title of the "Trotting Twelfth", having travelled 3,500 miles, 500 of which were on foot. The regiment returned to Providence on July 22 and on the 29th was mustered out of service.

On the 31st of August, 1862, the War Department issued an order for raising the first battalion Second Rhode Island Cavalry, to be under the command of Maj. Augustus W. Corliss. On the 15th another order was issued to make it a full regiment of three battalions.

The first battalion was enlisted December 24, 1862, and the second January 19, 1863. The two battalions were ordered to Louisiana, where they arrived in time to take part in the advance on Port Hudson, March 14, 1863. The losses which this regiment sustained in the hard service it saw so reduced its ranks that in August, 1863, it was consolidated into one battalion of four companies and united with the First Louisiana Cavalry. This union produced discontent and demoralization, and many of the officers resigned and were honorably discharged. Soon after this union the troops openly rebelled against the brutal acts of Lieut.-Colonel Robinson of the Louisiana Cavalry, and discontent and disorder followed. The identity of the regiment seemed lost, and Governor Smith warmly protested against the whole action, claiming if the regiment was to be broken up that it should be transferred to the Third Rhode Island Cavalry. The War Department subsequently repaired the injury, as far as possible, by issuing an order on January 14, 1864, for this purpose.

In November, 1862, there was organized in Providence a company of Hospital Guards, the command of which was placed with Capt. Christopher Blanding, formerly lieutenant-colonel of the Third Rhode Island Heavy Artillery. This company was recruited by order of the War Department to serve as a guard at the Marine Hospital in Providence, where many wounded soldiers were being nursed, and at Portsmouth Grove, where the general government had established a hospital on a large scale, designated the Lovell General Hospital. At the latter place large numbers of both Union and Confederate soldiers were cared for during the war, and a substantial garrison force was necessary for the proper conduct of this station. Captain Blanding recruited his company from such men as had already seen service and had been disabled, yet were fit for light garrison duty. The company was mustered into service on the 6th of December, 1862, and it was not until August 25, 1865, that the hospital closed and the men were mustered out.

On the 17th of June, 1863, Governor Smith received authority from the War Department to enlist a colored company of heavy artillery; with such success was the company enlisted that by the 3d of September authority had been given to organize a full regiment. Then came into being what was known at first as the Fourteenth Regiment Rhode

Island Heavy Artillery, colored. A recruiting camp was established on the Dexter Training Ground, but as the companies were organized they were transferred to Dutch Island, in the southern portion of Narragansett Bay, where a camp, designated as Camp Bailey, named in honor of Col. Charles E. Bailey, had been prepared. Lieut.-Col. Nelson Viall, a veteran of the Mexican War and who had already seen active service with the Army of the Potomac, was appointed to the command of this new regiment. All the officers were white. By the 19th of December one battalion was ready for duty at the front, and on this day it left Providence, followed on the 8th of January, 1864, by the second battalion. It was not until the 3d of April that the third battalion left Rhode Island, for, in February, small-pox broke out among the troops and it was necessary to delay sailing. The regiment was eventually assigned to the Department of the Gulf, and its name changed to the Eleventh United States Heavy Artillery (colored). During its period of service the regiment performed most effectually all the duties assigned to it, which were laborious and often disagreeable. It had a record for excellent discipline and proficiency in drill, and was often complimented for the spirit in which it entered upon any duty assigned to it to perform. The regiment was mustered out of service October 2, 1865, but it was not until late in the month that it was disbanded.

The organization of the Third Regiment Rhode Island Cavalry was commenced July 1, 1863, by Col. Willard Sayles, who was appointed to its command by the governor under authority of the secretary of war. With the large body of troops that a State the size of Rhode Island had already placed in the field, recruits for this regiment necessarily came slowly, and it was not until the 31st of December that the first battalion left the State for active service at the front. Early in February the two companies of the Second Cavalry, which had been assigned to the First Louisiana Cavalry, were assigned to the Third. On April 25 three more companies joined the regiment at Alexandria, and another detachment of two companies joined the main body in the field May 8. It took part in the Red River Expedition, the battle of Pleasant Hill, the skirmishes at Alexandria and Governor Moore's plantation, the battle of Marksville Plain and Yellow Bayou. It also performed extended terms of patrol duty and participated in frequent expeditions after guerrillas. The regiment was mustered out of service at New Orleans, November 29, 1865. One more body of volunteer troops completes the list of Rhode Island's contribution to the Union army. In June, 1862, Company A of the Seventh Squadron Rhode Island Cavalry was enlisted in Providence. This squadron was under the command of Major Augustus W. Corliss, and was enlisted for three months' service. It was mustered into service June 24th and on the 28th left Providence for Washington. After serving

on picket duty and scouting, its term of service expired and on September 26 it returned to Providence.

During the period of the war Rhode Island contributed 23,699 men. On the call of April 15, 1861, 3,147 men responded; on the call of May 3, 1861, 6,286 men; on the call of July 2, 1862, 2,742 men; on the call of August 4, 1862, 2,059 men; on the call of October 17, 1863, and February 1, 1864, 3,686 men; the call of March 14, 1864, 1,906 men; the call of July 18, 1864, 2,310 men; and the call of December 19, 1864, 1,563 men. With the same good order and evidence of good citizenship with which these volunteers sprang to the aid of the Nation when rebellion seemed likely to disrupt the Union, so when peace spread her mantle over the contending forces and war and rumors of war were no longer heard in the land, then those men who had survived the perils of the camp, the march and the battlefield, as orderly and with the same evidence of good citizenship, took up again their trades and professions and entered again upon the life and action of a nation at peace.

The closing years of the century were darkened by the clouds of war. During the period preceding the call of President McKinley for volunteers, when the situation was of such a character that hostilities seemed imminent, Governor Dyer had caused a thorough investigation of the condition of the State militia and the military stores in the possession of the State, and when, on the 23d day of April, 1898, the proclamation of the president was sent throughout the country calling for 200,000 volunteers for two years, or the war, no State was better prepared to respond to the call than Rhode Island.<sup>1</sup>

Recruiting offices were established in various parts of the State and recruits promptly responded. As fast as the men were enlisted they were assembled in squads and sent to the State Camp Grounds at Quonset Point, which was designated as Camp Dyer. Col. Henry B. Rose (retired) was placed in command of the rendezvous.

Although the quota assigned to Rhode Island was much smaller than the number required for a regiment, the War Department authorized the enlistment in Rhode Island of one regiment of infantry.

Lieut. Charles W. Abbot, Jr., 12th U. S. Infantry, and a former member of the Rhode Island militia, who had been on duty in Rhode Island since 1896 as United States army inspector and who was thoroughly familiar with the whole system of the Rhode Island militia, was appointed colonel of the regiment. On the 18th of May the regiment was mustered into service, and eight days later it left the State completely armed and equipped for active service. Its departure from

<sup>1</sup>For a complete account of "Rhode Island in the War with Spain," see the volume under this title compiled from the official records of the executive department of the State by Elisha Dyer, governor, Providence, 1900, also military reports for 1898, 1899, 1900.



the State was made the occasion of a grand demonstration. A few days before its departure Gen. William Ames, a veteran of the Civil War, presented the regiment an elegant stand of colors. The regiment remained at various camps during the period of hostilities, constituting a portion of the reserve force of the country, and while it performed arduous service in camp and on the march, it was not privileged to add to its honorable record, service on the battlefield. On the 30th of March, 1899, the regiment was mustered out of the service at Camp Fornance, Columbia, South Carolina; the regiment, however, did not at once disband, but by voluntary agreement of nearly one thousand officers and men, proceeded to Providence. The reception of the regiment at Providence was attended with all the enthusiasm that had prevailed when it left the State. Crowds of people thronged the streets and the formal dismissal of the regiment on Dexter Training Ground, on April 1, 1899, was witnessed by a large concourse of people.

Under the second call for troops Rhode Island, besides furnishing sufficient men to recruit the regiment of infantry to its maximum standard, recruited two batteries of light artillery, both of which were formed from the two batteries of the State militia. Battery A was commanded by Capt. Edgar R. Baker and Battery B by Capt. Henry Wolcott. These batteries were mustered in June 28, 1898, and were located at the camp ground at Quonset Point during their entire period of service, which lasted only a few months.

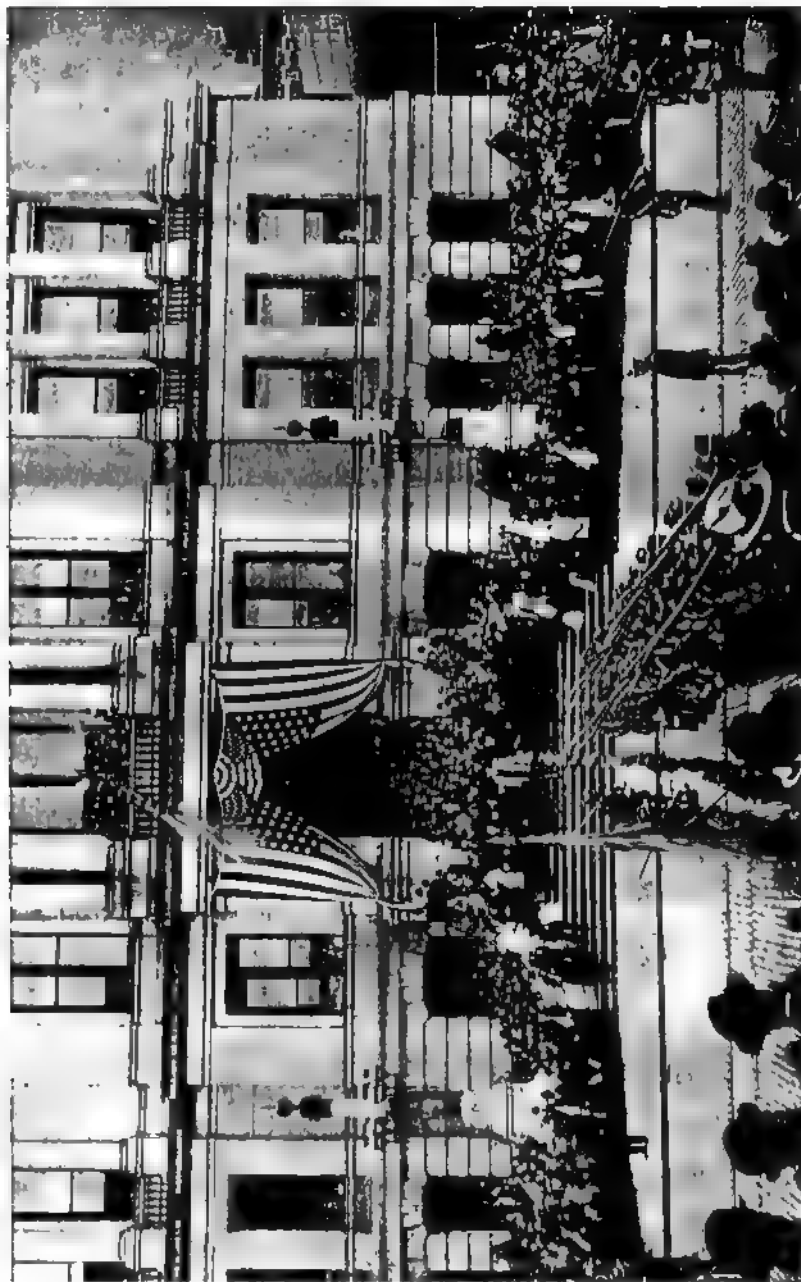
During the period of the war the patriotism of the people of Rhode Island was manifested on every hand; the national flag was displayed on the public buildings, places of business and the homes of the people. Portraits of the leaders in the war hung in the windows of the shopkeepers and householders, and public and private funds were generously used to relieve the sick and the wounded.<sup>1</sup>

Of all the military organizations chartered by the General Assembly in those early days, when it would seem the bulk of the male population of the State must have been under arms, and in uniform in one fantastic shape or another, the days when now sparsely populated parts like Exeter or Scituate could send a regiment to the front under a resounding military title, and it was a real or prospective foe of the nation that was likely to be faced instead of a mob of their own fellow citizens in the streets of a big city, there are to-day only five left outside the brigade of militia, that maintain an organization under their charters, while their active membership is also identified with and enlisted in the brigade.

The Newport Artillery, ever one of the best military organizations

<sup>1</sup>See "The Work of the Rhode Island Sanitary and Relief Association During the War Between the United States and Spain," in "Rhode Island in the War with Spain". Dyer, 1900, p. 335.





FIRST RHODE ISLAND VOLUNTEER INFANTRY IN THE SPANISH WAR  
PASSING THE CITY HALL, PROVIDENCE, MAY 26, 1898, UPON ITS DEPARTURE FROM THE STATE.

either within or without the line, the United Train of Artillery of Providence, the Bristol Train of Artillery, The Kentish Guards of East Greenwich and the Warren Artillery of Warren, still maintain a military organization outside the brigade. The Providence Marine Corps of Artillery annually elects its officers, and keeps up a social organization under its charter, although it accepted the provisions of the militia laws, and is represented actively as the State's battery and artillery. The First Light Infantry Regiment still maintains its military character and its distinctive uniform, as in the days before it became attached to the line.

“The glorious and frequently gorgeous commands, whose bright training-day uniforms once flecked the surface of the State like bunches of peonies and patches of tulips and bouquets of rainbow tints generally, have, however, mostly vanished and gone. Many of them expired without creating any commotion, under the provision usual with the charters that when they fell to less than forty men they should become extinct. Many struggled along through the first half of the last century, with frequent revivals of their charters, due to failure to maintain the provisions from year to year. The Civil War played havoc with a good many of them, as the Spanish War threatened to do even to the well-organized militia of the present day and the general reorganization of the State militia force following the Rebellion hastened the end of some. It is unnecessary and could have only a pathetic interest to trace the rise, downfall and passing of such gallant companies as the Bristol Light Dragoons, or the Coventry Rangers, or the Kentish Troop, or the Pawtuxet Rangers, or the Nooseneck Guards, or the Little Compton Artillery, or the Tiverton Independence Light Dragoons. Like the Burrillville and Glocester Horse Company, the Cumberland Artillery, the Manville Light Infantry, the Foster Safe Guards, the North Providence Rangers, the Sea Fencibles, the Pawtuxet Artillery, the Smithfield Grenadiers, the Kingston Reds, and many other splendid organizations, ever ready and eager for defense of home or duty abroad, they are all gone, and for the history of many of them it would be impossible to gather the material for the last chapter. Doubtless they all served their State and wore their uniforms well. Of most of them history can only record with safety that they were—and now are not.” About the year 1831 the militia of the State became demoralized and disorganized. The adjutant's record book of the Second Regiment of Rhode Island militia from 1825-1832 contains this statement:

“After the year 1831 the field officers all declined a re-election in consequence of the disorganized condition of the militia of Rhode Island. No competent commanding Regimental officers could be induced to serve. There were first rate officers in the volunteer companies attached to the Regiment, viz., The First Light Infantry and

the Fayette Rifle Corps, but not one of said officers would accept the office of Col. Perhaps there were some officers in the ward companies fully competent to command, but the difficulty was in the disorganization of the Standing Companies of the militia as they were called. The General Assembly of Rhode Island continued the appointment of the old Field officers, they having the right of appointment, but it will be seen by the record they positively declined serving".<sup>1</sup>

In addition to the chartered companies, provision was made by a law of 1842 for volunteer companies, so designated, which act of the Assembly was perhaps the precursor of our later militia laws. Further development along this line resulted in a law of 1864, providing for volunteer companies outside the chartered companies and their organization by tens into regiments, or, if not conveniently situated to get together as regiments, into battalions.

The reorganization of the militia of the State, which began by slow stages a few years after the close of the Civil War, culminated in the provisions of the militia law in 1875, under which the militia forces, including such chartered companies as accepted the provision of the new law, by brigades, battalions and companies, in which nomenclature the more distinctive, not to say more fanciful, names of the chartered and volunteer organizations which made up the line were subordinated, though not yet entirely eliminated. Before the reorganization under the law of 1875, the militia, variously uniformed, bearing the burden of their own expenses, and, whether chartered or volunteer companies, being pretty much independent, were loosely organized as a division of three brigades, the brigades being also loosely established according to the location of the different groups, and regardless of the respective arms of the service, the companies in the counties of Newport and Bristol being in the first brigade, of Providence county in the second, and of Washington and Kent counties in the third. A major-general and three brigadiers constituted the line officers of general rank.

The law of 1875 still retained the division organization, with a major-general commanding, but it reduced the number of commands, and from three brigades, representing miscellaneous arms, provided for two brigades of infantry, with the cavalry and artillery organized each by itself.

In the work of reorganization culminating in the law of 1875 the greatest embarrassment was caused by the position of the chartered companies, by reason of the fact that, though there then existed only five of these commands, yet they numbered in the aggregate some 800 men, were highly disciplined and generally among the most efficient of the companies of the militia under the existing law. To undertake

<sup>1</sup>Statement of A. D. Hodges, adjutant Second Regiment, June, 1874, in record book of the Second Regiment, in possession of the Rhode Island Historical Society.

to frame a new law that would not meet with their approval, and so would result in driving them out of the active militia, was evidently a hazardous undertaking. Subject only to the order of the governor, with their powers guaranteed them in independence under their charters granted them in times long gone by, by the General Assembly, they were not unnaturally exceedingly loth to consent to attach themselves to the line and forfeit their charter rights to provisions of new legislation calculated to limit their prestige and scope of action.

The obstacle, however, was in a measure overcome. Doubtless the interests of the chartered companies were fully consulted in the framing of the law, and appeal was made to their patriotism and public spirit to accept its provisions when it was adopted. Two of the chartered companies promptly accepted the provisions, namely, the Providence Marine Corps of Artillery and the First Light Infantry, these two organizations alone representing nearly 400 of the desirable 800 men then composing the five chartered commands.

The next radical change in the organization of the militia was promptly made after the successful trial of the provisions of the law of 1875. By the law of 1879, the two brigades of the line were reduced to one, the numbers were again reduced by the disbandment of five companies, the major-general and one more brigadier of the line were lopped off, provision was made for a single State uniform to replace the uniforms which still differed with the different commands, and enlistments were for a period of three years. The distinctive names of the organizations attached to the line and composing the brigade disappeared from the rolls forever.

The organization of the militia as provided in the law of 1879 has in essentials undergone little change to this day, with the exception that the battalions of infantry of the brigade have been consolidated into two regiments of eight companies, each with a separate company.

At the present time the Brigade Rhode Island Militia consists of the following: The First Regiment of Infantry, headquarters at Providence, Col. Frank W. Matteson. This regiment is made up of five companies from Providence and one company each from Pawtucket, Westerly and Woonsocket.

The Second Regiment of Infantry, headquarters at Providence, Col. James H. McGann. The regiment consists of five companies from Providence, one of which is credited to Olneyville, and one company each from Woonsocket, Bristol, and Central Falls. The First Battalion of Cavalry, Major George S. Tingley, headquarters at Pawtucket, Troop A of Pawtucket and Troop B of Providence. First Separate Company of Infantry of Providence (colored), Capt. Robert W. Blunt.

Battery A Light Artillery of Providence, Capt. Charles H. Weaver. First Machine Gun Battery of Providence, Capt. E. Merle Bixby. A

hospital corps and signal corps. The brigade is commanded by Brigadier-General Hiram Kendall, who was commissioned April 8, 1892.

There yet remains five of the Independent organizations. The Newport Artillery Company of Newport, Col. Herbert Bliss; The United Train of Artillery of Providence, Col. Alvin H. Eccleston; The Bristol Train of Artillery of Bristol, Col. John H. Bailey, Jr.; The Kentish Guards<sup>1</sup> of East Greenwich, Col. Will E. Brown; and the Warren Artillery of Warren. No return of the election of officers for the year 1900 was made to the adjutant-general by this latter organization. In addition to the above there are two Naval Reserve Torpedo Companies, one from Bristol and one from Newport, and two Naval Artillery Companies, one from Providence and one from East Providence.

Annual encampments of the brigade are usually held in the month of July at the State Camp Grounds at Quonset Point in the town of North Kingstown, which is well equipped in every respect for all military movements, even to the exercise of heavy guns. At the encampment from July 9 to 14, 1900, the average attendance was 862.66 out

<sup>1</sup>The Kentish Guards was incorporated just before the struggle for American Independence began, and furnished more officers of importance for the Revolutionary Army than any other military organization in the Colonies. Among these were one major-general, one brigadier-general, two colonels, one major, one captain and a large number of other inferior officers. On the morning after the battle of Lexington the company set out for Boston with one hundred and ten rank and file; in the ranks was Nathanael Greene, carrying a musket. It proceeded, however, no farther than Pawtucket, news there being received that the British troops had returned to Boston and immediate danger had passed. The company performed good service during this struggle for independence in building and garrisoning Fort Daniel, erected at the head of East Greenwich Bay. During the Dorr insurrection the Guards were called upon for service to guard the bridge over the Blackstone River at Pawtucket and performed well their part in crushing the riotous proceedings that took place at this point on June 27, 1842.

The records of this ancient military company are imperfect, for fire years ago destroyed its armory and its records. No complete list is to be found of its officers and men, and but one roll of its members during the Revolutionary struggle is known by the writer to have been preserved; this is in the possession of Mrs. H. F. Hunt, of Kingston, R. I., and is as follows:

Pay Roll Kentish Guards, called out on alarm July 27, 1780: Richard Fry, Col.; William Arnold, Charles Greene, Job Greene, Clarke Brown, Phillip Pearce, Nicholas Mathewson, Beniah Smith, Jonathan Salisbury, Andrew Boyd, Thomas Babcock, David Brayton, Caleb Gorton, Job Rice, Fones Greene, Stephen Green, son Job; William Blair, Green Capron, Richard Mathewson, Earl Mowrey, Pasqui Austin, Daniel Pearce, John Fry, Elijah Johnson, James Sweet, Jonathan Fairbank, Holderly Langford, Mallachi Hammet, Robert Spencer, Caleb Hill, Elihu Greene, John Pearce, Gideon Willcox, Samuel Smith, Joseph Manchester, Israel Manchester, Noel Potter, Weaver Bennit, William Greene, Gideon Spencer, Whipple Andrew, Caleb Mathews, Elisha Dexter, Nathan Millard, jr., John Remington, John Green, Jun., Thomas Gould, Isaac Carr, Ezra Simmons, Wm. Burlingham, Gideon Manchester, Stephen Brigs, Peleg Olin, Pardon Allen, Joseph Allen, Charles Allen.

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of a total of 1,038 enlisted men, while the average attendance of officers was 99 out of a total of 110. The militia of the State was seriously affected by the war with Spain, yet this tour of duty following so soon after was of such a character as to cause the United States army officer detailed to inspect the encampment to refer to it as "the best of the three that I have inspected".

A handwritten signature in black ink, appearing to read "Edward H. H. H.", with a large, stylized initial "E" and a long, sweeping underline.



**The Sea Force  
In War Time.**

1

## CHAPTER XXIV.

### THE SEA FORCE IN WAR TIME.<sup>1</sup>

The earliest mention in Rhode Island of a movement for fitting out vessels of war is in the year 1653, at which time Great Britain was at war with Holland. At the General Court of Trials, held at Newport in May of this year, privateers' commissions were given to Capt. John Underhill, William Dyre, and Edward Hull, with power "to goe against the Dutch, or any enemies of ye Commonwealth of England". In granting these commissions they had in view the affording aid to the English colonies on Long Island, as well as the taking of the vessels of the enemy. It was ordered that the force to be sent to Long Island "shall have two great guns and what murtherers are with us on promise of returning them at ye due valuation, and to be improved by instructions given by this Assemblie's authoritie; provided they engage to the Commonwealth and conform by subscription to doe their utmost to set themselves against all the enemies of the Commonwealth of England, and to offend them as they shall be ordered".

For the trial of prizes brought in, the general officers, with three jurors, were to constitute the court. The towns of Providence and Warwick were empowered to hold similar courts to those held at Newport, from either of which appeal was to be had to the General Assembly.

The towns of Providence and Warwick did not entirely coincide with those of Newport and Portsmouth in issuing commissions to privateers to cruise against the Dutch, even though they had been granted "by virtue of a Commission from the Right Honorable the Council of State". At a meeting of commissioners from Providence and Warwick, held at the former place in the June following, a remonstrance was drawn up to be sent to the towns, chiefly against the commission granted to William Coddington, as governor of Rhode

<sup>1</sup>A portion of the naval history here presented relating to the period previous to the War of the Revolution was written by Hon. John R. Bartlett for the Providence *Daily Journal*, in which it appeared more than thirty years ago, and a few years later in the *Magazine of American History*. As any account of this portion of the State's history must include all that is contained in Bartlett's sketch and by reason of the inaccessibility of the original, it is introduced here practically as it then appeared.

Island, whereby the towns of Newport and Portsmouth “were disjointed from the Collonie of Providence Plantations”. In this they say that their efforts to reunite Portsmouth and Newport with them have been in vain. “The inhabitants of the said two Towns, have, as we are informed, in the name or by the authoritie of the Collonie of Providence Plantations, granted and given unto John Underhill, Edward Hull, and William Dyre, commissions tending to War, which is like, for aught we see, to set all New England on fire, for the event of War is various and uncertaine; and, although the honored Council of State’s direction to us is to offend the Dutch as we shall think necessary, yet we know not for what reason, or for what cause the said inhabitants of the Island have given forth the said Commission. Therefore, we are enforced thus to declare, that if the said Island shall attempt to engage us with them in the said Commissions, or in any other like proceedings, and shall use any force or violence upon us on that account, that we will address ourselves immediately to England, to petition for their Honors’ further directions unto us, which they have pleased to intimate in their Honors’ pleasure, by the hand of William Dyre; for we are resolved to use our utmost endeavor to free ourselves from all illegal and unjust proceedings”. It was further ordered that those who owned the commissions before mentioned, granted in the name of Providence Plantations, shall have no liberty to act until they have given satisfaction to the towns of Providence and Warwick. Conceiving, too, that the Colony was in imminent danger, they adjourned until two commissioners should see cause to call the Court together. No injury seems to have arisen to the Colony from the warlike steps taken against the Dutch, as we find that, in the following year, vessels had been engaged in trading with them.

In 1653 Samuel Mayo, mariner, of Barnstable, in Plymouth Colony, complained to the commissioners that his vessel, the *Desire*, had been unlawfully seized by Thomas Baxter, under order of a commission from Rhode Island. This vessel had been engaged in transporting the goods of William Leverich, of Sandwich, to Oyster Bay, on Long Island, within the English limits, where he was about to settle. She had also landed some cattle at Hempstead, on that island.

The Commissioners of the United Colonies, in consequence of this complaint, sent Capt. William Hudson to the governor of Rhode Island, with orders to inquire by what commission their agents made such seizures, which disturbed the peace of the Colonies; by whom it was granted, and whether it was under the seal of the Commonwealth of England. The agent was further directed to write down all the answers to these questions, that he “neither mistake or forget any part of it”; and also to ascertain to what extent, and by whom these commissions had been granted; and in what relation Rhode Island stood with Providence and Warwick Plantations.

Great was the consternation of the renowned Peter Stuyvesant, the governor of New Amsterdam, when news was brought him that a vessel trading with that Colony had been seized by an impudent English privateer from the neighboring Colony of Rhode Island. Well was the term, "headstrong" applied by the truthful historian of New Amsterdam, Diedrich Knickerbocker, to the worthy Dutch governor; for we learn that his ire was raised; and, notwithstanding the dangers attending a voyage through the dreaded Hell Gate to reach Long Island Sound, he ordered two vessels to be at once fitted out with such warlike implements as the people were wont to use, and with one hundred and fifty men to seize the offending vessel, which then lay in the harbor of Fairfield. The Commissioners of the United Colonies, alarmed at this proceeding, issued an order that all Dutch ships be prohibited coming into any harbor belonging to any of the confederate Colonies, without a license from the governor or some magistrate of the Colony. Any vessel that entered an English colony after the issuing of this order, was to be notified by a magistrate or military officer to depart, failing in which within six hours, she was liable to be seized. The two Dutch vessels lying off Fairfield were notified to depart within the same time, or be liable to seizure and confiscation.

Governor Easton, in reply to the message sent him by the commissioners through Lieutenant Hudson, to know by what authority the Colony of Rhode Island had granted commissions to privateers and raised such a turmoil among their quiet neighbors of New Amsterdam, sent the following letter:

NEWPORT, September 16, 1653.

"HONORED GENTLEMEN:—The Council not being present, nor without much difficulty could be, therefore, for myself, being desirous to be inoffensive to your honored authority, which I know is the mind of our Colony, induceth me to petition your Wisdoms for a favorable construction of our proceedings who are far from countenancing any incivility, much less insolency, of any of ours; hoping that we shall approve ourselves as to the supreme authority of the State of England, unto whom we are responsible; so also unto your Wisdoms, in all serviceable humanity.

"That, by our authority, received from the Right Honorable the Council of State, any offences, duly given, I presume not; and hoping that your Wisdoms will not impute particular men's extravagancies to us, being ignorant thereof, but rather suspend; and for sending a copy of our Commission, I have no Commission, and therefore desire to be excused. Yet this much I shall presume to inform your ingenuities, that we are authorized to offend the enemies of the Commonwealth of England, as we shall see necessary; and against them only are our Commissions granted, and so is Baxter authorized; and, as I remember, for the Records are not with me, he is prohibited to pass into the Dutch jurisdiction till further orders be given. He is also bound to

bring his prizes, so taken, into our harbor, for trial and that the State's part may be secured; it being so joined on us by the supreme authority, unto whom we are also required to render an account of our proceedings, which we have done, and unto whose right wise censure we submit. Thus presuming to trouble your Wisdoms with my rude lines, and desiring that your grave counsels may produce glory to God, grace among men, and honor to our illustrious mother State, this is the true desire of your servant,

NICHOLAS EASTON.

"I shall readily acquaint our Council with your desires, the first opportunity."

It is evident from this letter that Rhode Island had no authority or right, either by her charter or instructions, to issue commissions to privateers; indeed, the king and his ministers disavow all such right, as will shortly appear.

Mr. Mayo, the owner of the vessel seized, accompanied Lieutenant Hudson to Rhode Island for the purpose of getting her release; but the authorities took no notice of his complaint. The commissioners, however, finding Mayo could obtain no redress from Rhode Island, ordered a stay of proceedings on his giving bonds to pay all damages, in case the vessel should, on trial, be adjudged a lawful prize under any commission issued by Providence Plantations by authority of the Commonwealth.

In 1672 the breaking out of the war again between Great Britain and Holland aroused the American Colonies to renewed action. On the 30th of July, of the following year, the Dutch arrived with a large fleet and retook New York. Rhode Island became much alarmed at this success of their old enemy; and fearing that an attack on Newport would follow, immediately organized military companies and took such other precautionary measures as seemed necessary in the emergency; but there is no record of any naval exploits. The probability is that the Dutch, having a considerable fleet, had complete command of the adjacent waters.

At the May session of the General Assembly, held in Newport in 1682, an act was passed establishing a Naval Office at Newport, in which all masters of vessels were "required, upon their arrival, to make entry of them and their loading", and to give bond as required by act of Parliament.

At the June session, 1684, a letter to the governor was read from Sir Lionel Jenkins, one of the king's principal secretaries, with a proclamation for the suppressing of privateers and pirates which had infested the seas and involved Great Britain in serious controversies with nations with which she was at peace. This proclamation was published in Newport by the beat of the drum, and the recorder was ordered to read it in three of the most public places there. The Assembly, in consequence, passed an act, in the preamble of which it



is asserted that His Majesty's subjects "have and do continually go off from the Colony unto foreign Prince's services and sail under their commissions, contrary to their duty and good allegiance, and by fair means cannot be restrained from so doing".

This act made it felony for any person, inhabiting or belonging to the Colony, to serve in any hostile manner under foreign prince or potentate in amity with his Majesty, without a license from the governor. It was further ordered that all treasons, piracies, murders, etc., committed on the high seas, or in any haven, creek, etc., shall be tried the same as if such offense had been committed upon the land, before the Court of Admiralty. It was also made a crime for any one knowingly to entertain, conceal, trade, or hold correspondence with any one supposed to be pirates or connected with privateers.

There evidently was reason for the enactment of this law, not only that the colonists had engaged in the service of foreign powers, but that they had given countenance if not protection to privateers which had entered the waters of Narragansett Bay, for we find that numerous complaints were made to the government to this effect. In a letter from the Board of Trade to the Governor and Company of Rhode Island, dated the 9th of February, 1696-7, they say that they have received such complaints, and that many persons have deserted their homes and joined privateers to the great dishonor of the English nation. They also direct that in future "no pirate or sea robbers be anywhere sheltered or entertained, under the severest penalties". In the trial of Avery's crew in London for piracy, it was stated that "Rhode Island was a place where pirates are ordinarily too kindly entertained"; and that several privateers whose names were mentioned, among them William Mayes, were actually fitted out in the Colony.

Governor Cranston, in reply to the Board of Trade, says: "That things are misrepresented to his Majesty and your Lordships and that the Government of Rhode Island was never concerned in, nor countenanced, any such thing"; that Mayes, the capital pirate alluded to, "had his Clearance from the Custom house at Newport, to go on a trading voyage to Madagascar with a lawful Commission from the Government, to fight the French, his Majesty's enemies; and the best information we have is, that Captain Avery and his men plundered him. And we very much suspect, too, that they have destroyed him and his company, for none of them are yet returned; nor has any news been yet received of said Mayes or any of his party". The governor further says: "Upon the receipt of your line and the mandates from His Majesty, the General Assembly immediately issued a proclamation for the apprehending of all persons suspected of Piracy, a copy of which Proclamation is herewith enclosed to your Lordships; and, furthermore, that we have seized two persons and their moneys,

Robert Munday and George Cutler, who, upon examination, do deny that they have been further than Madagascar. But we shall endeavor to search out the truth, and bring them to trial", etc. Accompanying this letter was the proclamation for the apprehension of "all pirates and especially Henry Avery and his company", and for the prohibition of all persons "from entertaining the said suspected pirates of their goods", etc.

A few weeks after Governor Cranston had written to the Board of Trade Edmund Randolph addressed the board on Rhode Island affairs, from Boston. He says that not long before he came to Rhode Island, "eight Pirates came from Fisher's Island with a great deal of money and East India commodities, which they brought in their brigantine from Madagascar, now lying in New York. That six of these men escaped to Boston with their goods and money; but that Robert Munday and George Cutler were seized, and about £1,500 taken from them, which money was retained by the Governor. That they were put in prison, and, soon after, by the Governor's order, admitted to bail, one of the Governor's uncles, Gresham Clarke, being their security". Randolph further asserts that these men made their escape, "leaving their money to be shared by the Governor and his two uncles, who have been very great gainers by the Pirates who have visited Rhode Island; and that three or four vessels have been fitted out here for the Red Sea". He also asserts that several officers of the government have enriched themselves by countenancing the pirates; and that the deputy-governor, John Greene, has granted a commission to one of the pirates, without any security given by the master. In a fortnight, Randolph says, he has been informed that the governor of Rhode Island intends to appoint a court for the trial of Munday and Cutler and, if no one appears to prosecute them, to acquit them and deliver them their money.

Governor Easton, in a declaration, states that John Greene, of Warwick, while deputy-governor, gave a commission to John Bankes, a privateer, who had come into Newport with Thomas Tew, as he, Easton, had refused them a commission "to go out on any such designs as they went upon". The Board of Trade was not satisfied with the explanations made by the Governor and General Assembly of Rhode Island, and addressed to that body a scathing reply, demanding more specific information, regretting that Munday and Cutler's "other six companions had not also been captured", and calling for "authentic copies of all the proceedings", etc.

Two months after writing the letter of the 25th of October, 1698, to the Governor and Company of Rhode Island, the Board of Trade made a "Representation", or complaint to King William in relation to Rhode Island, a copy of which was transmitted to the General Assembly of the Colony. In this complaint they went over the whole

ground of the alleged capture of the pirates, and the encouragement claimed to have been given them and the issuance of the commissions. This complaint was dated Whitehall, December 21, 1698. When this document was read before the King in Council, January 5, 1698-9, a Commission of Inquiry was ordered to be dispatched to procure legal evidence in relation to the charges. This commission was armed with a list of questions to which they were required to obtain replies, and full instructions on other matters. With reference to the administration of government in the Colony and the granting of commissions to privateers, these instructions said:

“The subjects upon which you are to make more particular inquiries, are the officers in any part of the administration of the government, and the legality of their qualification for the execution of their respective offices. The constitution of their militia. The Commissions of War, which they have, at any time, granted to commanders of ships, and their conduct in relation to piracy or to persons either known or who might reasonably have been suspected to be guilty thereof; and also in relation to illegal trade and traders”.

Governor Cranston, under date of May 27, 1699, addressed the Board of Trade in reply to the charges of misdemeanor, a temperate letter in vindication of the Colony relative to privateers and piracy, in which he expressed the loyalty of the colonists to the king; their willingness to be guided by royal instructions, and supply information and explanation upon all phases of the subject. To this letter the Board of Trade replied in terms of unusual severity for an official communication, claiming that the commissions in question, of which the Board had received copies, gave “power to take, slay, burn, and utterly destroy his Majesty’s enemies’ vessells, goods, &c., and to make prize, &c.”, and asked, “Are these defensive Commissions?” Speaking of the governor, the communication said, “it is evident that he has highly transgressed, not only by omitting to take bonds, but in granting any Commission whatsoever”, etc.

In September, 1699, the Earl of Bellomont, by virtue of his commission, visited Newport “to make inquiry and examine into the disorders, irregularities and maladministrations committed and practiced by and within the Government”. The result of his inquiries is incorporated in a report which he made to the Lords Commissioners of Trade and Foreign Plantations, dated Boston, November 27, 1699. The report begins by stating that the people “seem to have wholly neglected the royal intention, and their own professed declaration, recited in their Charter, of godly edifying themselves and one another, in the holy Christian faith and worship, and for gaining over and conversion of the poor ignorant Indian nations”. Continuing, “that the generality of the people are shamefully ignorant and all manner of

licentiousness and profaneness does greatly abound, and is indulged within the Government''. Regarding naval matters, it continues:

''Deputy Governor Greene, during the time of the late War, granted severall sea Commissions under the publick Seal of the Collony unto private men of war (otherwise pirates), expressly contrary to the will of the Governor, then in the actual exercise of the Government; and, notwithstanding his forbidding the same, took no security of the persons to whom the same were granted, nor could he tell by the contents of them, who was to execute the same, being directed in an unusuall manner to the Captain, his assignee or assignees; and otherwise full of tautologies and nonsense. And all the vessels whereof the commanders were so commissioned went to Madagascar and the seas of India, and were employed to commit piracy. The said Greene is likewise complained of for exercising divers other exorbitant and arbitrary acts of power, under color of his office.

''The government is notoriously faulty in countenancing and harboring of pirates, who have openly brought in and disposed of their effects there; whereby the place has been greatly enriched. And not only plain breaches of the Acts of Trade and Navigation have been connived at, but also manifest and known piracies, and all that has been done by them on pretence of seizing and taking up of known pirates, has been so slender, weak and not pursued to effect, as plainly demonstrates it was more in show than out of any hearty zeal or desire to suppress and bring such notorious criminals to justice, and their care has so little therein, that when they had some of the greatest of those villains in their power, they have suffered them to escape.''

In the journal of his visit to Rhode Island the Earl of Bellomont says he made inquiry of Governor Cranston about a man named Gillam, who had been for some time on the island, and had come as a passenger with Captain Kidd from Madagascar, but that no complaint had been made against him. Peleg Sanford, however, made a different statement to the earl relative to this Gillam, who, he said, was a pirate and was then in Newport with other pirates; and that ''such men are here countenanced, entertained, and concealed, as will appear by the evidence enclosed''; ''that for such as are seized and committed, bonds to the amount of £2,000 or £3,000 are forthwith given for them; and having thus obtained their liberty, they gave notice unto their wicked companions, whereby they know how and where to conceal themselves''.

Although it is evident from the information obtained by Lord Bellomont in his visit to Newport that public business in the Colony was not conducted with the regularity required, and that irregularities had and did still exist, particularly in the granting of privateers' commissions, it does not appear that there was any complicity between

the authorities of the Colony and the parties engaged in piracy, as might be inferred from the report of his lordship. The facilities with which commissions for letters of marque were obtained during the wars with Holland, France and Spain, induced many adventurers to resort to Rhode Island for that purpose; while the advantages of the fine harbors of Narragansett Bay led the owners of these privateers to not only fit them out here, but also to return to Newport with their booty. These enterprises, which were a legitimate part of warfare, induced numbers of sea-faring men to quit their more legitimate professions and resort to privateering. Originally they embarked on their voyages with good and legitimate intentions; but it is apparent that some of them became on too intimate terms with pirates and may have purchased a share in their booty. The notorious William Kidd was within our waters, where he landed portions of his ill-gotten treasure, as appears from the evidence laid before the Earl of Bellomont. Several of his men, charged with piracy, also took refuge here and on the east end of Long Island, where they were sought by the authorities at the instigation of his lordship. Kidd was taken in Boston, and although some of his companions were arrested in Rhode Island, most of them eluded capture. The British government sent a ship to Boston for Kidd and his associates in prison, who were taken to England and executed.<sup>1</sup>

At the June session of the Assembly, 1704, Governor Cranston announced that a Spanish prize had been brought in by Captain Halsey of the brigantine Charles, a privateer commissioned by him

<sup>1</sup>The following is among the Warner Papers so called in the custody of the Record Commissioners of Providence. From its appearance it would seem to be a copy and not an original, although it was evidently written many years ago. It is introduced here for its seeming connection with the notorious Kidd.

To John Bailey, Esq., New York. Sir: I fear we are in a bad situation. We are taken for pirates and you must come to Boston as soon as you get this; there is no one I can depend upon. The man who brings this to you cannot read it, he knows nothing what is in it. You must come as soon as you get it or I may not see you before I am carried to England. If I do not see you I will tell you where my money is, for we have plenty of that if it will do any good it is . . . is buried on . . . Island in Boston Harbor on the . . . Island in two chests containing from £15,000 to £20,000 sterling in money jewels and dimonds. They are burried about four feet deep with a flat stone on them and a pile of stone near by. There is no one that knows where it is but me now living as Dick Jones and I hid it when part of my men were in Boston and the rest asleep one night: it is about . . . up the hill side I want to see you before we are carried to Old England if possible. If not you must get all the witnesses in my favour and the best of counsil to help you. I want you to see Col. Slaughter and John Nicholds and James Bogard and Capt. Housen and Edward Leach and all that can do me any good. Say nothing to them about the money or that I have wrote to you. You know my old friends in New York and who will help me. That Moore scrape is the worst part of my case. I think my interest with Lord Belmont and my two commissions and some French papers I have with me and my men running away to the pirates to Calafero and other things are in my favor All may be safe yet. They



against the French and Spaniards, "pursuant to the declaration of war and the particular commands of Her Majesty, Queen Anne". He stated that Captain Halsey had asked for a condemnation of the prize by Colonel Byfield, judge of the Court of Admiralty; but that the judge, after having taken steps towards her condemnation, pretended that she was not taken by a lawful commission. Byfield furthermore alleged that the government of Rhode Island had no authority to grant any commissions to private men-of-war, and in consequence suspended the act of condemnation. Governor Cranston thought the refusal of the judge of admiralty a contempt of the queen's authority, a detriment to her majesty's interests in the Colony, and a great injury to the captors of the vessel. The General Assembly, too, after debating the matter and considering the privileges granted by the charter, the declaration of war and the instructions sent from time to time to the government, did not hesitate to declare that the governor of the Colony, by permission of the Assembly, had full power to grant commissions to such vessels to go against and annoy her majesty's enemies. They further declared that the governors were fully justified in their proceedings in these matters, provided they had taken, and should continue to take, bonds and do all things required by law relating to men-of-war. These views Governor Cranston fully explained in a letter to Byfield, dated June 16, 1705, to which the latter replied on July 19, 1705, explaining his position in the matter at length. From his decision the owners of the brigantine Charles which captured the Spanish vessel—Nicholas Paige, John Coleman, Benjamin Gallup, and John Walker, of Newport—appealed to the governor of Massachusetts

think I have money buried down at Plymouth or down that way some where, they don't think it is so near to Boston, but they shant have my money and life too. Don't fail to come to me as soon as you get this. I enquired the best way by land to N. York and told him to go to Worcester and then to Quabog an Indian town where Maj. Willard fought the ingians, there is a pond and a stream leading to Connecticut River and down to Hartford and by water to New York and to give this to you himself Say nothing to him about me or that you ever saw me but come without fail or if I am gone to England be there as soon as possible. Secure the money and diamonds before you come as money will do a great deal for us. It will buy a great many people and all the poor ones I want in my favour. Keep dark in N York, say nothing to any but my friends. Don't fail to be in Boston before I am carried to England as I can tell you more than I can write and better what I want. I told the man who brings this to you if he met with any trouble or was taken by the Indians to hide his papers in some safe place where he can find them if he gets away. I will put them in glass for if he should get them wet or anything happens to him they will be safe. I can't think of any thing more to write now, but will tell you all when you come. They keep me well and are kind to me here. This from your friend

ROBERT KID.

Boston 1700-1.

N. B. Come soon without fail and I will tell you more and all about the money it is on . . . island about . . . down the harbour of Boston they don't think it is so near to Boston. But you must keep dark here, say nothing to any one here about me till you see me.

R. KID.



and New Hampshire, who, in addition to being governor of those Colonies, was vice-admiral of the seas and maritime ports of Rhode Island, as well as of the other two Colonies. Governor Dudley, on the 27th of June, wrote to Colonel Byfield at Bristol, stating that "if speedy proceedings and condemnation be not made, all the cargo of the prize will be embezzled or lost"; and that as it was no fault of Captain Halsey's, but an error of Governor Cranston's in granting the commission, he advised the condemnation of the prize and cargo; the particulars of this transaction, he said, he would represent to her majesty, the queen, and in conclusion says, he is "informed that the governor as well as the people in that Colony are in such disorder, that he cannot advise any other method of proceeding".

Governor Dudley appears to have entertained no friendly feeling toward Rhode Island, for we find him, in November, 1705, in pursuance of the commands of the Board of Trade, preferring most serious charges against the Colony in a communication addressed by him to that body. The charges are only a repetition of those before made to the king, which the Earl of Bellomont had made the subject of his visit to Newport some years before. Besides the specifications which charged the Colony with a non-observance of the acts of trade and navigation, the too free granting of commissions to privateers, and the protection given to freebooters, Governor Dudley complains that she did not "furnish her quota of troops towards the fortifying of Albany and assisting of New York"; and "for not giving due assistance to the Colony of the Massachusetts Bay against the French and Indians". These go to show of what importance our little Colony was a hundred and seventy-five years ago, when the greater Colonies of New York and Massachusetts required her to furnish aid to repel the French and Indians on their borders hundreds of miles distant; and, at the same time, too, when the home government was calling upon her to send out her private men-of-war against the enemies of England. In this state of things it is not surprising that the people, in choosing between the demands of their sovereign, Queen Anne, to annoy her enemies at sea, by sending out private armed ships against them, and the demands of her sister Colonies for aid, should have given the preference to the former service. In that, the people of the Colony who fitted out ships at their own expense derived a direct pecuniary advantage when they succeeded in capturing the vessels of the enemy and obtained their condemnation by the Court of Vice-Admiralty. But in the latter case they had no direct interest. The French posts on the frontiers of Canada and Acadia were at a great distance; they were separated from the English colonies by dense forests which were occupied by hostile Indians, and neither glory nor advantage was to be derived from contact with such enemies. The people thought, too, that Massachusetts with her more numerous population, should be able to protect

her own frontier. These seem sufficient reasons why they did not furnish the aid required of them by the Colonies of Massachusetts and New York. The same causes explain why so many of the young men of these same Colonies left their homes, which was another subject of complaint by Governor Dudley, where they were obliged to serve against the Indians, as well as to contribute by taxes for the support of maintaining these wars.

In quoting from Governor Dudley's letter it is necessary to give only those parts which refer directly to the subjects under discussion. He wrote under several heads which he "humbly offered to his Lordship" as sufficient "to make out the particular charge", from which the following are taken :

"1. That the Government of Rhode Island does not observe the Acts of Trade and Navigation ; but countenances the violation thereof, by permitting and encouraging of illegal trade and piracy.

"2. That Rhode Island is a receptacle of pirates, who are encouraged and harbored by that Government.

"3. That the Government of Rhode Island harbors and protects seamen, soldiers and servants that desert from other of her Majesty's Plantations, and will not deliver them up when they are claimed, etc.

"9. That the Government have refused to submit to her Majesty's and His Royal Highness's Commissioners of the Admiralty and for commanding their Militia ; and have defeated the powers given to the Governors of her Majesty's Colonies, in this behalf.

"18. That two privateers, Lawrence and Blew, commissioned by Colonel Dudley, took a Spanish ship upon the coast of Cuba, which they brought into Rhode Island, where the men were debauched by that Government and prevented from sailing to their commissioned port, where they would have been made accountable for her Majesty's dues and the rights of the Lord High Admiral. And, although he wrote to the Captains, directing them to bring their said prize to Boston, where they had received their Commission, and where the owners and sharers dwelt ; but, on the contrary, the receiver of her Royal Highness's dues was hindered from receiving the same.

"All which is humbly submitted by your Lordships' most humble servant,  
J. DUDLEY.

"BOSTON, November 5, 1705."

Dudley sought out all who had any cause of discontent against Rhode Island, procured affidavits from them, and lost no opportunity to render the Colony as obnoxious as possible in the eyes of the king and his ministry. Among the complaints was the outrage upon the French settlers some years before, the particulars of which were set forth by Pierre Ayrault in a remonstrance to Governor Dudley. To add to the bulk of the evidence he procured depositions in New York

concerning piracies which had occurred years before, and in which other Colonies were as much implicated as Rhode Island.<sup>1</sup>

The Board of Trade, on receiving the charges against Rhode Island, transmitted them, on the 18th of April, to Lord Cornbury, then governor of New York, with instructions to him to investigate them. On the 26th of November his lordship replied to the request, saying that he "would pursue Her Majesty's commands as far as he was able", and continuing as follows:

"The first Article is not observing the laws of trade, and encouraging illegall trade and piracy. This Article relates to both Governments. That the people of Connecticut carry on an illegal trade with the East of Long Island, is known to everybody here, and appears by the condemnation of a Sloop belonging to Connecticut, named the Rachel, which was condemned for illegall trade. That they encouraged piracy, appears by the depositions of Orchard and Hicks to which I beg leave to refer.

"The Next article is that they harbor pirates.

"The next is for harboring and protecting soldiers, seamen and servants, who desert from other Plantations, and refused to deliver them when reclaimed. This will appear by the affidavit of Captain Matthews to which I refer.

"The ninth Article is for refusing to submit to Her Majesty's and His Royal Highness' commissions of Vice-Admiralty, and for commanding their militia. I don't doubt but those who have had the honor to serve the Crown in this Government before me, have given full accounts of that matter in their time. As for my time, I must acquaint your Lordships that two years ago, Colonell Winthrop, who was then, and now is, Governor of Connecticut, came to make me a visit. I then took the opportunity to tell him that I would go into Connecticut and publish my commission for the command of their militia, and my commission to be Vice-Admiral. He told me whenever I would come into Connecticut I would be welcome; but they would not part with their militia.

By Lord Cornbury's letter it will be seen that Rhode Island was not alone in being charged with carrying on illegal capital trade and encouraging piracy; but that Connecticut was equally implicated. Indeed, his lordship has more to say against Connecticut than Rhode Island. He desired to effect the repeal of the charter of Connecticut and add that province to New York. With this view he resorted to the same means that Dudley did to destroy the charter of Rhode Island; but they both failed in their purposes. As regards privateers

<sup>1</sup>The various papers embodying these charges are embraced in forty-two documents, and are among the manuscripts in the John Carter Brown library. They were all arranged under the thirteen Articles of Impeachment.

we can only account for the number of them in the English colonies from the hostility that existed in them all against the Spanish, French, and Dutch, who had planted colonies in America, and from the fact that they were glad to avail themselves of the slightest pretext to annoy them on the sea, as well as on land and, particularly, to take their ships and cargoes.

In August following the General Assembly, at a special session for the special purpose, adopted an answer to the charges made against the Colony, which had been submitted to that body in a communication from the Lords Commissioners, dated at Whitehall, March 26, 1705. This reply was a complete and convincing refutation of the charges which Dudley, Cornbury, and other enemies had made against her. The agents of the Colony in London, too, had faithfully performed their part, having appeared before the Board of Trade with the voluminous evidence on both sides. With regard to the refusal of Rhode Island to furnish her quota of troops for the war and to contribute her part towards the common cause, the evidence showed that she had within seven years expended more than six thousand pounds in military defenses and operations; that she had furnished her quota of men to Massachusetts, besides "keeping and maintaining scouts upon the frontiers of that Province, whose services had been thankfully acknowledged by it".

The Board of Trade, in January, 1705-06, in obedience to the Order in Council directing them to enumerate to Her Majesty, Queen Anne, the several misfeazances and illegal proceedings of the Charter and Proprietary Governments in America, made a representation that they had not conformed to the Acts of Trade and Navigation; that the governors of Connecticut and Rhode Island had not taken the oaths required; that they were the refuge of pirates and illegal traders; that they refused to submit to the Royal Commissioners of Vice-Admiralty, etc.; indeed, the proceeding was only an enumeration of the old charges preferred by Dudley and others. This, with the letters of Dudley and Cornbury, was submitted to the attorney and solicitor-generals, who gave their opinion that, in certain extraordinary emergencies, her majesty "may constitute a Governor of such Province or Colony, as well for the Civil and Military part of the Government, and for the protection and preservation thereof; with the addition only, that as to the Civil Government, such Government is not to alter the rules or methods of proceeding, in civil causes established by their Charters".

The year 1706 opened with renewed activity on the part of the Colony to repel the French, who with a powerful fleet were known to be in the West Indies, where they had sacked and plundered the islands of St. Christopher's and Nevis, and were momentarily expected on the coast. Everything was put upon a war footing; large numbers

of volunteers were enrolled in the militia; scouts were placed along the whole line of the coast, and a body of troops was stationed on Block Island. "These precautions were necessary," wrote the Governor and Council to the Board of Trade, "as the French General and Admiral has given out threatenings against these parts, so that we are upon the watch, and raised up several breastworks and batteries about the town of Newport, in order to prevent the enemy landing near the town". In addition to these the Colony had several vessels on the coast to guard against privateers, as well as to give early notice of the approach of any of the hostile fleet.

In June of this year a French privateer, near Block Island, took a sloop laden with provisions. The particulars of the capture were immediately sent by express to the governor at Newport. Proclamation was at once made for volunteers, and within two hours two sloops, fitted and manned with one hundred and twenty men, under command of Captain John Wanton, were sent in pursuit of the enemy. In three hours Captain Wanton came up with the French privateer, at once gave her battle and captured her; retook the prize she had taken, and brought both safely to Newport. The privateer was manned with forty men and was hastening with her prize to Port Royal, where they were in great want of provisions.

The success of this gallant affair gave great satisfaction throughout the country and added fresh laurels to the naval flag of this Colony. The General Assembly, in session at Newport in July, voted £200 toward defraying the expense of the expedition and for supporting the prisoners taken. They also acknowledged the great service rendered by the governor in his prompt action and voted him a "present gratuity" of five pounds; in addition they empowered him, "in case of invasion, to press any vessels for the Colony's service, with other necessaries as may be by his Honor judged needful". The vessels so taken up were to be appraised by two men, one chosen by the governor and one by the owners. Byfield, judge of admiralty, in giving an account of this exploit by Captain Wanton to the ministry, said he condemned the prize without exacting the legal fee, "in order to encourage so brisk an action".

It is now necessary to go back a little in the story to notice briefly the capture of Block Island in July, 1689. On that occasion a large bark, a small bark, two sloops, and some smaller craft, all French privateers, appeared off the island, greatly alarming the inhabitants. When the vessels came in near the shore a boat put off from one of them and landed, where the crew were met by the islanders in large numbers; the latter had come down to the shore armed, not knowing whether their visitors were friends or foes. In reply to inquiry as to who they were, whence they came, and the name of their commander, they were answered by one William Trimming, an Englishman, who



said their commander was George Asten, a man who was well known to the islanders as a privateersman whose exploits among the Spaniards and French had given him fame. Trimming further said they were Englishmen, but that their crews were French and Spanish; that their captain's name was Pekar [probably Picor, or Piquard]; that they came from Jamaica and were bound for Newport; they added that they wanted a pilot to take them into that harbor where they might purchase wood, provisions, and obtain water. The story was plausible and the islanders believed it; this belief was strengthened by a stranger then on the island who claimed acquaintance with Captain Asten, and who sent his compliments to him.

When Trimming saw that his story was believed he took his departure, joined his vessel and the fleet made sail towards Newport. They had not gone far when they saw a pilot boat at a distance, which they signaled and brought her to their assistance. But no sooner had the pilot and his crew got aboard the vessel than they were made prisoners, driven into the hold, and there questioned as to the strength of Newport and Block Island. The situation was now apparent; but finding the town stronger than they had anticipated, and believing they had quieted the fears of the Block Islanders, they determined to return, take possession of the island and plunder it. Three boats (periaugers) were manned with about fifty men each, their guns placed in the bottoms of the boats, and they pushed for the shore. Landing, they were again met by a body of the islanders, who, says the narrator, "were something amused at their number". Nevertheless, believing them to be friendly Englishmen, they directed the visitors to the best landing-place. No sooner had they reached this spot than the men in the boats sprang to their feet, seized their guns and presenting them at the astonished inhabitants told them if they showed the least resistance they would be shot. Thus they became prisoners to their supposed friends. The pirates, as they had proved themselves to be, disarmed the islanders, broke their guns in pieces on the rocks and led them to the large house of Captain James Sands, which stood near the landing-place; here they were confined under a guard, and the pirates set to work plundering the houses, killing cattle, sheep, and hogs, not only to feed upon, but to impoverish the people and lay the island waste.

The people now saw the deception practiced on them by Trimming. He was the only Englishman in the party and was used as a decoy when the pirates wished to board an English vessel; on such occasions he was sent on board the vessel to deceive the crew as he did the Block Island people.

News was at once sent to the mainland that the island had fallen into the hands of the French; beacon-fires were lighted along the coast from Pawcatuck Point to Seaconnet, and the whole country was



aroused. For a week the piratical crews remained in quiet possession of the island, plundering the houses and despoiling everything movable. One narrator states that they committed great abuses upon Simon Ray, an aged man and one of the most prominent men on the island. Mr. Ray and his son, on seeing the enemy approach, and while yet at a distance, took their money and valuable effects out of the house and concealed them. The pirates having ascertained that chests and other articles had been suddenly removed, demanded their restoration, together with the Rays' money. On his refusal to give them up they became enraged and beat him over the head with a rail, and would have killed him on the spot but for the interference of his wife. Indeed, so covered with blood was her husband as he lay senseless on the floor that she believed him dead. He finally recovered and lived many years. The pirates also abused John Rathbun, who, they were told, had money; mistaking the son for the father, they tied him up and whipped him unmercifully in the vain endeavor to extort from him the place where they supposed he had concealed his money.

Among other atrocities of the pirates was the killing of two negro men, one belonging to Mr. Ray, before mentioned, the other to Captain John Sands. Two of the servants of Dr. John Rodman ran away from him and joined the French. This Dr. Rodman, writes the narrator, Rev. Samuel Niles, "was a gentleman of great ingenuity and of an affable, engaging behavior, of the profession of then called Quakers. He also kept a Meeting in his house, on the Sabbaths, with exhortations unto good works, after the manner of teachers of that society, but more agreeably than I suppose is common with them, judging from the meetings I had often attended in my younger time". When the Frenchman came to Dr. Rodman's "one of them essayed to lead his wife, a very desirable gentlewoman, into a private room, but the Doctor stepped into the doorway, and prevented him". Upon this the ruffian cocked his pistol and threatend to shoot him; whereupon the Doctor opened his clothes on his breast and said: "Thou mayest do it if thou pleasest, but thou shalt not abuse my wife."

While the piratical fleet lay riding at anchor off the island they took two vessels bound up the sound, one of which being laden chiefly with steel, they sunk; the other had a cargo of wine and other liquors.

The great bonfires before spoken of along the coast of the mainland naturally led the pirates to believe that the country had taken alarm and might send out a force against them; at any rate, they became satisfied from what they could learn that it would be useless for them to make any attempt on Newport, which was the populous town and protected by fortifications. They then determined to make an attack on New London, which they imagined would be less prepared for them. For this port they accordingly sailed and entered its harbor; but the country having been warned of their approach, large

numbers of men from the bordering towns had come to New London for its relief. This place, like Newport, had its well-built fort as protection from the Indians. The piratical fleet had scarcely reached its harbor when a volley from the great guns on the fort was fired upon them with good effect. This being a reception for which they were not prepared, they hastily drew off, and made sail, intending to return to Block Island, there to renew their work of plunder.

As the fleet was passing out to sea, some of the company landed on Fisher's Island, upon which there was then but a single house. Trimming, the Englishman before spoken of, who was one of the party, having mentioned his intention to stop there, the people of Stonington got wind of it, when a party of seventeen men determined to intercept him. They accordingly set off, and by landing on another part of the island, approached the house spoken of before they were discovered by the pirates, who had already arrived. Trimming now came out in an apparently friendly manner, with his gun concealed behind his back, to receive them; whereupon the Stonington party demanded whence they came. Trimming replied that they had been shipwrecked. One of the Englishmen from Stonington then said, "If you are friends, lay down your guns, and come behind us". Upon this Stephen Richardson, fearing an attack of the pirates, leveled his gun and shot Trimming dead on the spot, an act for which he was much blamed. "Thus," writes the honest Niles, "he that delighted in falsehood in his life died with a lie in his mouth; and received, it seems, the just reward of his perfidious, villainous, and multiplied treacheries".

While the French privateers were engaged in their futile attempt upon New London, the people of Newport were busily engaged in fitting out an armed force of volunteers, with two sloops, with which to attack them; and, supposing they were still at Block Island, they sailed thither. The expedition was under the command of Captain, or Commodore, Paine, as he was sometimes called, a daring fellow, who had, some years before, "followed the privateering design", a very mild term for a freebooter, and who, notwithstanding his occupation, still enjoyed the confidence of his fellow-citizens at Newport. The second in command was Capt. John Godfrey, a brave and energetic officer, who had also seen active service, and was eager to try his hand with the piratical crew. Arriving at Block Island, they found the Frenchmen had taken their departure, and learning that when they sailed they had taken a northwesterly course in the direction of New London, they stood off to the westward, in the hope of intercepting them in case they should be beaten off. The Block Island vessels had not proceeded far when they discovered a small fleet standing eastward, which proved to be the piratical vessels. Preparations were now hastily made to receive the enemy—the crews prepared their small arms, and their great guns were all brought to bear on one side, that their first dis-

charge might be the more effectual. The Frenchmen discovered the approaching sloops, which they imagined to be unarmed merchant vessels, and made all sail, expecting soon to secure them as prizes. As they approached, a periauger full of men was sent by the pirates to demand the surrender of the sloops. Captain Paine's gunner urged him to fire on them at once; but the captain proposed waiting for their nearer approach. He at length sent a shot at them, which was seen to skip over the water and strike the bank, as they were not far from the shore. This unexpected shot alarmed the pirates and brought them to a stand, when they pulled off as fast as possible to await the coming up of their ships.

As the Frenchmen approached they bore down upon the Rhode Island vessels, the great bark leading the way, and poured into them a broadside with small arms. They were quickly answered with the same, followed with shouts and huzzas from our vessels; and the action now became general. The larger sloop now followed, the captain of which was a most violent and daring fellow. "He took a glass of wine", says the narrator, "and wished it might be his damnation if he did not board the English immediately". While drinking, a bullet struck him in the neck, when he fell dead, as they afterwards learned from the prisoners. The other vessels now passed in course, each discharging a broadside, then tacked, and brought their opposite guns to bear. In this manner the fight was kept up on both sides until darkness came on and put an end to the conflict. The piratical captain and several of his men were killed, and some of them driven on shore. On the part of the English but one man, an Indian, was killed and six white men wounded. It seems that the enemy aimed too high, as numbers of their cannon and musket-balls were picked up on the adjacent shore.

A second encounter was expected on the following morning, as the French lay at anchor all night at a short distance; but the fight was not renewed, perhaps because their ammunition had run short. A reason current in Newport why the Frenchmen did not renew the combat was that Peckar, their captain, had been informed that in encountering the English or Rhode Island vessels, he had been fighting with Captain Paine; and that he had said he "would as soon fight the devil as Paine". It is understood, too, that Paine and Peckar had sailed together in privateering expeditions in former wars, the former as captain and the latter as lieutenant, which is quite probable.

The piratical fleet now stood off to sea, pursued by two Rhode Island sloops under Paine and Godfrey; but the Frenchmen, being more expert sailors, left them far astern. The prize vessel, loaded with wines, which the latter had taken, not being so good a sailor as the fleet, fell behind, and fearing the English would come up and recapture her, her captors fired a cannon ball through her bottom.

When the English came up with her they found her sinking and merely secured as a trophy the long boat at her stern.

Block Island, though these privateers had departed, was not wholly forgotten by them, as it appears that before the end of the year some of the same company, with others, landed one night, surprised the inhabitants in their beds and proceeded in the same manner as they had before; they plundered houses, killed cattle, and committed other depredations, but killed no one. The Rev. Samuel Niles, who has left the fullest account of the visits of these privateers, was one of the sufferers on the occasion of this second visit, and was maltreated and left bound on his bed. On the first visit Mr. Niles and many others took refuge in the great swamp.

During the continuance of the war with France the pirates made a third visit to Block Island, but at just what time does not appear, and met with no opposition. James Sands and his family, whose house had been their headquarters on previous occasions, took to the woods to avoid a repetition of former outrages. Mr. Niles, who was a grandson of Mr. Sands, accompanied his family and was followed by others. The pirates landed on a Sunday morning, and, forming a long train in two files, with colors flying and trumpets sounding, marched up and took possession of the island. "Thus they came", says Mr. Niles, "in triumph and as absolute lords of the soil, and all belonging thereto, as indeed they were for the time." They set up their standard on the hill, after which they set to work killing geese, pigs, etc., and fired several shots at particular houses.

The operations of the piratical crews were soon arrested by the appearance of a large English man-of-war, the *Nonesuch*, Captain Dobbins. This ship lay at anchor about a league away, where she had been concealed by a dense fog; hence, neither the pirates nor the islanders had discovered her until the fog cleared away. As soon as the Frenchmen discovered the *Nonesuch* they hurried on board their own vessels, and after sending ashore a number of English prisoners, made sail. Among these prisoners was Captain Rodney and his wife. They were from the West Indies and possessed a large fortune, most of which he had with him in money and which was taken by the pirates. He was on his way to establish a home in the northern colonies.

Soon after leaving the island both the piratical vessels and the English man-of-war in pursuit disappeared in the fog; but both took the same course to the northeast and the pirates were finally overtaken in Buzzard's Bay. Finding there was no chance of escape by sea, about forty of them landed in the vain hope of concealing themselves or of escaping by land; but they were soon seized and disarmed by the people who dwelt near and who may have heard of their acts on the coast. They were sent to Boston as prisoners. The remainder

with their vessels fell into the hands of Captain Dobbins. The prizes, which proved to be very rich, were sent to Newport, where they were condemned.

In 1708 French privateers again appeared on the coast, which awakened anew the naval spirit of the Colony. "On the eighth of September", writes Governor Cranston to the Board of Trade, "upon intelligence given me by an express from Martha's Vineyard, that a Privateer had chased and taken a Sloop, and chased a Briganteen on shore, upon said island, I despatched (within three hours thereof) two Sloops under command of Major William Wanton and Captain John Cranston. The enemy fearing a sudden expedition, being well acquainted with our dispatch on such occasions, burnt his prize, and made the best of his way into the sea, so that our people could not get any sight of him".

A fourth time certain pirates, but whether French or otherwise was unknown to Rev. Samuel Niles, who narrates the story, made an attack upon Block Island, and were driven off without loss of life to the inhabitants.

At this time there were twenty-nine vessels belonging to the Colony, its trade having increased much within a few years. These vessels were engaged in trade with Madeira, Fayal, the West Indies, and Spanish Main. The cause of this increase was attributed by Governor Cranston in his letter to the Board of Trade "to the inclination the youth on Rhode Island have to the sea". "The land on the island", he adds, "is all taken up and improved in small farms, so that the farmers are compelled to place their children to trades or callings; but their inclination being to navigation, the greater part betake themselves to that employment". The number of inhabitants in the Colony was, at this time, seven thousand one hundred and eighty-one, of which four hundred and twenty-six were blacks.

In May, 1709, upon the demand of Her Majesty, Queen Anne, an expedition was organized for the invasion of Canada; a war tax of one thousand dollars was ordered to be levied; and two sloops, the Diamond and the Endeavor, taken up for the purpose, together with some transports, to carry the troops to Boston. Capt. Edward Thurston was chosen commissary, and was, furthermore, charged with the duty of providing naval stores, arms, ammunition, etc., for the expedition. Two hundred effective men were equipped and drilled for the service in little more than a month; and, under command of Col. William Wanton, sailed for Nantasket, the rendezvous of the fleet, on the 19th of June, and arrived three days later. They were destined to remain there five months, in the pay of the Colony, owing to the non-arrival of the British fleet which was to co-operate with them. After waiting several months for the fleet Colonel Vetch, the queen's messenger, requested the colonial government to meet Colonel Nichol-



son, the commander of the expedition, and himself "at the most commodious central place of all the said Governments, which", he says, "I humbly conceive to be about New London". Soon afterward he appointed Newport as the place of meeting, which took place about the 12th of October, whence it was adjourned to Rehoboth, as being more convenient. The meeting was over before the 19th, as Governor Saltonstall returned to New Haven on that day from the convention. With the same object in view a special session of the General Assembly of Rhode Island took place in September, at which a committee of ten was appointed to aid the governor. In the following month news arrived from England of the defeat of the allies of Spain and the consequent withdrawal of the fleet destined for Canada. An address to the queen was adopted, urging anew the reduction of Canada. This policy was brought before the Assembly in October and determined upon. At the same time an act was passed for disbanding the troops and withdrawing the transports which had been sent five months before to Nantasket, as before stated. The new act of the Assembly provided for raising one hundred and forty effective men for an expedition against Port Royal in Nova Scotia; and another was passed for issuing £5,000 in Bills of Credit for defraying the expenses to be incurred. Similar proceedings were taken by other colonies. The Council of War now called upon Rhode Island to furnish two hundred men for the proposed expedition to Port Royal. While the Assembly claimed that this number was greater than the due proportion, the two hundred men were ordered to be raised and Lieut.-Col. John Cranston was chosen for their command. When all provisions for the expedition had been made the Assembly voted an Address to the queen relative to excessive quota of men furnished by this Colony. The fleet for the expedition consisted of twelve ships of war and twenty-four transports, and sailed from Nantasket September 18, 1710. Three of these vessels were in the pay of Rhode Island and the others in that of Massachusetts, Connecticut and New Hampshire. Of troops there were five regiments, all commanded by General Nicholson. They arrived at Port Royal in six days. Then began the memorable siege of more than a week, ending with triumph for the colonial arms. One Connecticut transport ran aground at the mouth of the river and her crew of twenty-six men were lost. On the 2d of October a summons was sent to the fort to surrender and the terms of capitulation were soon settled and articles signed. The English lost only fourteen or fifteen men, besides those drowned. The name of Port Royal was then changed to Annapolis Royal, Colonel Vetch was left in charge of the fort, and the fleet and army returned to Boston, where they received a joyful ovation. The whole of New England shared in the jubilant feeling and the Rhode Island Assembly voted a gratuity to Major George Lee, who brought the news of the event. It would appear



from the Rhode Island records that one of the Colony's sloops was lost, and an appropriation of £1,000 was made for it; but Hutchinson mentions only the loss of the Connecticut vessel.

The success of the Port Royal expedition greatly stimulated the military spirit which had ever prevailed in New England, and particularly in Rhode Island. Moreover, the leaders of that expedition were encouraged by its success to renewed attempts against Canada. General Nicholson, who had returned to England, lost no time in bringing to the notice of the ministry his plans for another campaign for the purpose of completely reducing Canada, which met with favor, and he returned at once to New England to announce the intentions of the home government. A convention of governors was called and assembled at New London to formulate plans for the campaign; before their labor was completed the British fleet of fifteen ships of war and forty transports, under Sir Hovenden Walker, arrived at Boston. Great was the joy manifested throughout New England. The several legislatures were called together and prompt and energetic measures were determined on. The Rhode Island General Assembly voted an address to Queen Anne rendering to her majesty "the most hearty thanks for her indulgent care and thoughtfulness of us, in these Her Majesty's Plantations", in the endeavor "to oppress our enemies in these parts". Thanks were also voted to General Nicholson for his zeal in the cause. At the same time it was ordered that one hundred and seventy-nine men be raised for the proposed expedition, and that Major James Brown and George Goulding, with the commissary-general, be a committee to buy a vessel for the Colony's service in the expedition, together with supplies for the same. To provide for the expenses to be incurred, £1,000 were voted and an additional £6,000 were to be issued in Bills of Credit, a portion of which was for the same service.

With remarkable promptitude the northern Colonies responded to the call for men and provisions, in which Rhode Island did her part; but a new difficulty now arose, through the low credit of England, which prevented the negotiation of bills of exchange to provide for the expenses of the invasion. In the emergency Massachusetts came nobly forward, as she has ever done on similar occasions, and issued Bills of Credit which were given to merchants who furnished provisions and other necessities to the fleet. After a month's delay the fleet sailed from Boston under Admiral Walker with a force of five veteran regiments of Marlborough's army, and two colonial regiments, in all about 7,000 men, under Brigadier-General Hill. New York, New Jersey, and Connecticut furnished fifteen hundred men for the expedition, who assembled at Albany, for operations against Montreal to be made simultaneously with the attack on Quebec. About eight hundred warriors of the Five Nations of Indians also joined the forces,

all of which was put under command of General Nicholson. The fleet entered the St. Lawrence in safety and there waited six days for the arrival of the transports. But before proceeding farther a violent storm came on in which eight of the transports were wrecked and nearly 1,000 men lost. Great blame was attached to Admiral Walker for this delay, as he could easily have reached Quebec before the storm came on. This disaster broke up the expedition, and the admiral sent home the colonial transports and sailed for England with his fleet. General Nicholson heard of the disaster before he reached Lake Champlain and at once returned with his army.

The Colonies, including Rhode Island, severally adopted addresses to the queen setting forth the exertions they had made in the cause against her enemies, the French, and urged another expedition against Canada; but the peace which soon after followed, by which Acadia (now Nova Scotia), New Foundland and the region around Hudson's Bay was ceded to Great Britain, rendered it unnecessary.

In 1718 an act was passed for the encouragement of seamen, by which the enemy's vessels and other property appertaining thereto, taken by vessels legally commissioned by the governor, should belong to the captors, excepting certain dues to his majesty. The following year a letter was written from Newport by Caleb Heathcote, governor of the Colony of New York, to the Board of Trade, making a complaint against Rhode Island, among other things for making laws which operated against the king's officers, who, by hindering the colonists "from a full freedom of legal trade, are accounted enemies to the growth and prosperity of their little Commonwealth". And, "'tis very wonderful to me", continues the writer, "who am thoroughly acquainted with the temper of the people, that none of his Majesty's officers of the Customs have been mobbed and torn in pieces by the rabble, and of which some of them have very narrowly escaped; an instance whereof happened in this town, to the present Collector, who having made seizure of several hogsheads of claret, illegally imported, and notwithstanding he had the Governor's warrant and the High Sheriff, besides his own officers, to assist, and took the claret in the day time, yet the town's people had insolence to rise upon them, and insult both them and the civil officers; and having, by violence, after a riotous and tumultuous manner, rescued and possessed themselves of the seizure, set the hogsheads ahead and stove them open, and with pails drank out and carried away most of the wine, and then threw the remainder into the streets.

"No sooner was the tumult over, than John Wanton", continues Mr. Heathcote, "who uses the sea, and is Master of a Sloop, a Magistrate of the people's choice (as may be reasonably supposed), for keeping up the rage and humor of the mob", issued his warrant for arresting Mr. Kay, the collector, under pretense of his taking greater

fees than the law allowed. In bringing the matter before the governor, Kay was discharged; nevertheless, Wanton caused him to be arrested again, refused to admit him to bail, and hurried him to prison amid a crowd of spectators.

Piratical vessels had lately made their appearance again on the coast; indeed, they had not ceased with the termination of the late war, but continued their depredations along the whole American coast and in the West Indies. On the 8th of May, 1723, two of these vessels, the *Ranger* and the *Fortune*, which had committed several piracies and were well known, captured the ship *Amsterdam Merchant*, John Welland, master. The next day they plundered her of money and stores, after which they cut off the captain's head and sunk the vessel. A month later they took a Virginia sloop, and after rifling her of her valuables, let her go. On the following day this vessel fell in with His Britannic Majesty's ship, the *Greyhound*, commanded by Captain Solgard, of twenty guns, to whom they related the particulars of their capture and release. Learning that the pirates had sailed northward in the direction of Block Island, the *Greyhound* made sail in pursuit and fortunately came up with them three days later, near the east end of Long Island. The pirates took the *Greyhound* for a merchant vessel and gave chase, engaging her in battle. The contest was warm for an hour, when the pirates discovered that they had mistaken their antagonist and were getting the worst of the battle, and they made an attempt to escape. The wind being light, Captain Solgard got out his boats and followed in pursuit. A second engagement took place, during which the *Greyhound* got between the pirates and after a while succeeded in disabling one of them, when they called for quarter. The other vessel escaped. The captured vessel and her crew of thirty-six men were taken to Newport. Such a capture created a sensation in the Colony, which suffered much from the depredations of pirates during many years, and the General Assembly ordered a military force to guard the prison where the pirates were confined. In July an Admiralty Court, of which William Dummer, lieutenant-governor of Massachusetts, was president, sat in Newport to try the prisoners. The other members of the court were Richard Ward, register; Jahleel Brenton, jr., provost marshal; Governor Cranston, the collector of Rhode Island, four members of the Massachusetts Council, and some others. The trial occupied two days and resulted in the conviction of twenty-six of the pirates, who were sentenced to be hanged. The execution took place on Gravelly Point, also called Bull's Point, "within the flux and reflux of the sea", opposite the town of Newport, on the 19th of July, 1723. The bodies were buried on Goat Island. Only one of these men was a native of Rhode Island, all the others being foreigners and chiefly Englishmen.<sup>1</sup>

<sup>1</sup>The proceedings of the trial was published in Boston in a pamphlet. It was

In the month of October, 1758, four other pirates were tried, condemned and executed at Newport.

The war between Great Britain and Spain awakened anew the desire of King George's subjects to "annoy His Majesty's enemies", as there was a fair prospect of remunerating themselves for such service by the capture of valuable prizes. In 1739 the Rhode Island General Assembly authorized the governor to grant privateers' commissions against Spain, "as he shall think needful and necessary, pursuant to His Majesty's warrant". Furthermore, this body also passed a vote to lend to Godfrey Malbone, John Brown, and George Wanton "so many of the Colony's small arms, pistols, cutlasses and great shot, as they have occasion for, for fitting out their private men of war, upon their giving sufficient security to the General Treasurer to return as many and as good as they shall receive, and paying the necessary charges arising thereon, in one month's time". Steps were taken, soon after, to place the Colony on a war footing, by passing an act "to make necessary preparations for the defence of the Government". Fort George, at Newport, was put in repair; ten additional cannon were mounted; a large quantity of ammunition was placed there; and a company of soldiers, under Col. John Cranston, enlisted for its defence. Another detachment was enlisted for six months and sent to Block Island, where six great guns were mounted for its defence. Capt. Edward Sands and Nathaniel Littlefield were charged with the duties at the island. Watch houses were built on Brenton's Point, Seahuest Point, Jamestown, Point Judith, and Watch Hill. Such were the safeguards provided on land. To protect the Colony by water, a war sloop was ordered to be built, "in the best shape".

But the active and restless spirit of Rhode Island was not satisfied with protecting themselves against the enemy and acting merely on the defensive. They determined, next, to act on the offensive; and, in an act passed by the General Assembly, they expressed their desire "to distress and annoy the Spaniards in the most effectual manner". For this purpose it was determined to make an attempt upon "some of the most considerable of the Spanish settlements in the West Indies". Troops were next ordered to be raised and every inducement offered to such as would enlist. A bounty of £3 was to be given to each able-bodied man who enlisted, and exemption from all military service for three years after his return, except in cases of the greatest extremity. Transports were further to be provided, and the governor was authorized to issue his proclamation forthwith. The committee to provide vessels and provisions for the expedition were George Goulding, Peter Bours and Joseph Whipple.

also reprinted in Bull's *Memoirs of Rhode Island*, which appeared in the *Rhode Island Republican* in 1832 to 1836; and again in the *Newport Mercury* for July, August and September, 1858.

Col. John Cranston was appointed captain of the Colony's sloop, called the Tartar, for her first cruise. His instructions were to "detect any illegal traders and take any of the King of Spain's subjects or interest". He appears to have been ready for sea in the summer of the year 1740. It seems that more men had been enlisted than were required for the expedition against the Spaniards, of whom two hundred only were retained. The two captains commissioned for the expedition were Capt. Joseph Sheffield, and Capt. William Hopkins. Three colonels were ordered commissioned, but their names do not appear. As a compliment to the commissioned officers of the expedition, they were invited to dine with the Court. In order that all who were connected with the expedition might be properly entertained, this body directed, in accordance with the custom of the time, "that the other officers and soldiers be treated by the Sheriff with liquors, to the value of fifteen pounds, at the charge of the Colony". The Tartar war sloop was not destined to remain long inactive. Information being brought to Newport that there was a French vessel on the coast engaged in illicit trade, the Tartar was ordered out in search of her. Captain Cranston was successful in his cruise; he captured the schooner, brought her into port, and she was condemned and the proceeds of her sale distributed among her captors.

An application upon the Colony for aid to the king now came from another quarter, although she had already been making preparations for such a contingency. The British had, in the year 1741, made an attack upon Carthage, where they were repulsed, in addition to which they met with great loss of men by yellow fever. With a view to recover their fortunes, another attempt was determined on by General Wentworth, commander of the land forces. On the 12th of August, 1741, Wentworth addressed a letter from his camp, on the island of Cuba, to Governor Ward of Rhode Island, which he sent by Capt. William Hopkins, requesting the Colony to raise troops for his aid, "either to fill the vacancies in the old corps and in the Marines, or to form another Battalion". But General Wentworth was not to be satisfied with having further levies of troops; he was out of money, had no way of supplying his recruiting officers with means, and requested Governor Ward to draw upon the paymaster-general in England for expenses incurred. He also desired Governor Ward to "take proper measures for transporting troops to Cuba", to support which charge he flattered himself "the respective Provinces will make a provision". This was, indeed, a modest demand; nevertheless, Governor Ward, by order of the General Assembly, issued his proclamation offering a bounty of £5 of the Old Tenor and a watch-coat to every enlisting soldier, in addition to the royal bounty of £2.

Peter Bours, George Goulding, John Cranston, and Joseph Whipple were the committee to procure men to man the Colony's sloop



and provisions for the voyage. The sloop was ordered to make a voyage of three months after she had landed the transports; but this order was subsequently countermanded.

The expedition organized by General Wentworth was intended to operate against Santiago, but it seems that after a reconnoissance had been made of the works the plan was abandoned, to the disgrace of the British commanders. Rhode Island, for the aid she furnished for this expedition, subjected herself to an expense of £5,868, 5s. and 8d., which sum was reported by the committee to which the accounts of the expedition were exhibited.

It would appear that the Colony had privateers out at this time, although no mention of them is made in the records beyond the authority given the governor to commission them. In one instance the Assembly voted to pay the cost of the board of Francis Lorenzo, captain of a Spanish privateer, "which had been brought in by Captain Norton in his privateer sloop, the Revenge". At another time the passage home of Spanish officers who had been brought into the Colony were ordered to be paid; and again we find, in 1744, the number of Spanish prisoners brought in by our privateers were so numerous that an act was passed to regulate their maintenance, allowing each one fifteen shillings each week, and making provision for their return.

The attention of the Colony was now turned in another direction for the purpose of operating against the French possessions at the north, as will appear from the following letter from Governor Shirley, of Massachusetts:

"BOSTON, Jan 29, 1744-45.

"SIR:—Though I doubt not that the interest of the common cause of New England will sufficiently animate your Government to exert themselves vigorously in the intended expedition against Louisburg, yet I beg leave to add that the exposed situation of your Colony, by sea, and the resentment of the enemy against it, on account of the activity of your Privateers, make it probable that you may have a sudden visit from the French, this summer, if Cape Breton is not reduced.

"The gentlemen who will deliver you this, will apprise your Honor how essential it is, towards our proceeding in this important affair, that we should have a naval force before Louisburg, by the middle of March, at the farthest, to cut off the enemy's provision-vessels, and intercept Mr. Davison, who is expected with recruits for that garrison; which latter event must be so killing a blow to the people of the town and garrison, that it would not fail of being decisive; and they will also let you know what this Government has done, and what applications I have made towards providing such a naval force. I hope, therefore, you will not fail to exert yourself in this respect. They will further inform you how necessary it is that we should have a proper train of artillery, which should be from pieces of eighteen pound shot, to twenty-four pound, of which sort we have



not sufficient in our castle; and I therefore hope you will contribute your quota in this respect.

“I doubt not an united force, vigorously exerted on this occasion, in conjunction with His Majesty’s other neighboring Colonies, will meet with success, which I hope will be the event of this expedition, and am, Sir,

“Your Honor’s most obedient servant,  
“To the Hon. Governor GREENE.”

W. SHIRLEY.

The General Assembly of Rhode Island promptly complied with the call from Governor Shirley by passing an act, at their June session, for raising seamen and marines to serve on board the ship *Vigilant*, which “Peter Warren, Esq., Commodore of His Majesty’s fleet at Cape Breton, had taken from the French”. Two hundred able-bodied seamen were ordered to be enlisted, to whom a bounty of £17 Old Tenor was to be paid by the Colony. For the more effectual securing of these men it was ordered that no ferryman, boatman, or other person should transport any seaman from off Rhode Island or Conanicut during a certain period, under a penalty of £20, unless it was to land the latter at Newport. The soldiers stationed at Fort George were directed to stop all sloops, boats, and canoes from going out of the harbor of Newport without a special license from the General Assembly. Not content with these efforts to secure men, the governor issued his warrant to impress forty seamen at once. One-half the men required were obtained within six days and sent to Boston to embark for Cape Breton.

The prompt measures of Governor Wanton gave great satisfaction, and Governor Shirley issued a proclamation placing these levies on the same footing with other seamen in the fleet.

A brigantine called the *Success*, belonging to Ellery and Tillinghast, was chartered to transport the three companies of soldiers which had been ordered to be raised. The required seamen were undoubtedly raised, as provision was made for paying bounties to them. Massachusetts raised four hundred and Connecticut two hundred men for the Cape Breton force.

At this time there seem to have been many French and Spanish war prisoners in Newport and Providence, as commissioners of each place were appointed and provisions made for their keeping. In what way these men were taken does not appear, but doubtless by the privateers from those towns. The expenses incurred by the Colony, with copies of all the acts, votes, and proceedings, relative to the Cape Breton expedition, were ordered to be made and sent to the agent of the Colony in London.

On the 16th of June, after a siege of forty-nine days, the fortress of Louisburg capitulated. At this time eleven ships of war had

assembled and arrangements were in progress for storming the work. The besiegers had suffered so much from colds and dysentery that at one time 1,500 men were unfit for duty. The news of the fall of Louisburg reached Boston on the 3d of July and caused great rejoicing, for the whole of the land forces were from New England Colonies and consisted of undisciplined mechanics, farmers, and fishermen.

The last troops raised in Rhode Island did not, of course, reach Louisburg until after its fall; nevertheless they were required to remain there during the following winter. During the siege of Louisburg the Rhode Island sloop *Tartar*,<sup>1</sup> Captain Fones, was absent to intercept a large party of French and Indians who were on their way to the relief of the fortress. The vessels of the enemy were encountered by Captain Fones, and after an engagement were put to flight. A letter describing the engagement was written to Governor Wanton by Captain Fones, dated June 26, 1745.

For the brilliant exploit of the taking of Louisburg, an affair wholly projected in New England and effected by her troops, General Pepperell was created a baronet, the first instance in which this honor was conferred upon an American colonist. Warren, who commanded the fleet, was promoted admiral, and Governor Shirley, who originated and planned the expedition, was made a colonel.

Rhode Island was awarded less credit for her part in the expedition than she deserved. In the first place, the volunteers raised by Colonel Malbone being paid by Massachusetts, were reckoned as her troops; while the second levy of three companies, being incorporated in a Connecticut regiment under General Wolcott, was equally lost sight of in the official reports.

A garrison of 4,000 men, with a fleet of ten large and many smaller vessels of war, were required to garrison and defend Louisburg against probable attempts for its recapture. In accordance with this determination Commodore Warren addressed the following letter to Governor Wanton.

“SUPERBE, IN LOUISBURG HARBOR, 24th June, 1745.

“SIR:—I now have the pleasure to acquaint you that we are in quiet possession of the town and garrison of Louisburg, and the territories thereunto belonging; and that it is my duty to apply to you and the different Governors on the Continent, for such provisions and men as I may want; and I never had more occasion for your assistance than at present, in order to keep possession of a garrison that is a key to all the French settlements upon the Continent, and of which possession every Colony will feel the good effects. I therefore hope you

<sup>1</sup>Among the Warner Papers so called No. x1703 is a document bearing the title, “Signals to be observed by the Colony’s Sloop *Tartar* and the transports under her charge on the voyage to Annapolis Royal and back again”. It is without date.

will send, with all speed, your quota of men, armed and victualled for at least seven or eight months, to remain here, for the support of this garrison, till His Majesty's pleasure is known; till which time I shall continue here.

"I make this application to all your neighboring Governors, and have begged them to recommend the consideration of my request to their different Legislatures, who can't, in any manner, give greater proofs of their loyalty to His Majesty, their love of their country, and their care of posterity, than by assisting me with the means of keeping possession, till His Majesty can make provisions for it, of a Garrison and a Colony, that, in its consequence, will be the means of extirpating so dangerous an enemy as the French are, out of the Continent.

I am, Sir, your most obedient servant, P. WARREN.  
"To the Governor of Rhode Island."

Under the same date Governor Shirley wrote to Governor Wanton, stating that the siege of Louisburg had quite exhausted the magazines of powder, and, as it was uncertain what further demands there might be for it, he desired that an embargo might be laid upon all the powder lying in the stores and magazines so as to secure it at the market price in case it should be wanted. On the 3d of July he again wrote Governor Wanton at great length on the surrender of Louisburg, urging him in the strongest terms to send men, ammunition, and provisions "for the garrisoning and provisioning the place, till His Majesty shall order troops from Great Britain. He apprehends this to be the most critical juncture for securing it from the attempts of the enemy to recapture it, as it cannot be doubted that the French King will send a strong force to reduce it". Governor Shirley therefore hopes that the General Assembly of Rhode Island will, in duty to his majesty and in regard to the common interests, make provision at once to supply the soldiers, ammunition, and provisions required.

On the 25th of July Commander Warren wrote Governor Wanton from Louisburg, informing him that two of his squadron had taken a rich India ship, and proposed to sell her cargo there if the merchants will come from Rhode Island to purchase it. At the same time he sent an advertisement to be printed and distributed announcing the sale.

To the several urgent calls for men, provisions, ammunition, and shipping which had been made upon the Colony by order of the king, as well as by Admiral Warren, Sir William Pepperell and Governor Shirley, Governor Wanton replied as follows:

"NEWPORT, August 23, 1745.

"SIR:—Since my last to you, I have had the opportunity of laying before the General Assembly of this Colony your letters, with a copy of His Majesty's orders, signified by His Grace, the Duke of Newcastle, the respective Governors of the Colonies in North America,

to assist you with men, provisions, and shipping, for the relief of any of His Majesty's settlements, or from making any attempts on those of the enemy.

"And I am directed by them to assure you that none of His Majesty's subjects more sincerely rejoice at the glorious success of His Majesty's arms, in the reduction of a place of such vast importance to his obedience than this Colony; and that none of His Majesty's provinces and Colonies will be more ready than this to give you their utmost assistance in making any attempts against His Majesty's enemies, or in the securing and defending this most important acquisition; but, as this Colony is very small, and by its situation very much exposed to the attacks of the enemy by sea, and great numbers of our men employed on board of our Privateers to distress the enemy in their trade and navigation, and as they have already been at very great expense in keeping their only vessel of war at Cape Breton, ever since the beginning of this expedition, and in sending and victualling three companies of soldiers to assist in defending Louisburg; and also in allowing a large bounty to a number of seamen to enlist and serve in the squadron under your command; they hope these will be looked upon as their full quota, and as sufficient demonstrations of their duty and loyalty to His Majesty.

"I am, Sir, further directed to assure you, that if His Majesty's service should require our three Companies to remain at Louisburg, all winter, in the pay of this Colony, that all due care will be taken by this Government, to send them in season, provisions, and all necessities for their subsistence.

"The General Assembly thank you for the favor and respect you have shown to Captain Fones, the Commander of our Colony's sloop, Tartar; and they hope you'll be so good as to discharge her as soon as the nature of His Majesty's service will admit of it, she being the only vessel of war that we have for the protection of the trade and navigation of this Colony.

"Your known generosity leaves us no room to doubt that you will do justice to this Colony in letting His Majesty know what assistance we have given in this expedition; and we the rather request this favor of you, Sir, because we have reason to believe that some of our neighbors have no great inclination to represent our conduct in the best light.

"We heartily congratulate you, Sir, on the success of His Majesty's ships under your command, in taking so many rich and valuable prizes. May zeal and fidelity in His Majesty's service be always thus rewarded; and may success attend you in all your attempts, until your name becomes a terror to a haughty and insolent enemy.

"I heartily wish you health, and am, with best regards, in behalf of the General Assembly, Sir, yours,

GIDEON WANTON.

"To the Honorable Commodore Warren.

“P. S.—As the General Assembly have ordered the Brigantine which transported our soldiers to Louisbourg, to return home immediately, unless any directions should be come from His Majesty to dismiss our soldiers in a short time, they have directed me to desire you’d be pleased to give her a pass to depart”.

Massachusetts had strained herself to the very utmost in the Louisburg expedition, which was originated, planned, and successfully carried out by her, of which fact Governor Phipps wrote Governor Wanton. Admiral Warren also wrote the governor of the various advantages accruing from the successful expedition. Governor Phipps speaks of a second East Indiaman with a rich cargo which had been captured from the French, saying that it is judged that the value of the captures made on the coast by His Majesty’s ships amounts to one million pounds, none of which would have fallen into their hands if the Louisburg expedition had not been successful.

Under date of September 13 Sir William Pepperell wrote Governor Wanton that he would retain the three companies of Rhode Island troops, and desired him “to make the speediest provision for them during the approaching winter, of provisions, good bedding and warm clothing, fit for soldiers, in the most inclement climate”. He also apprised the governor that there was a squadron of French men-of-war on the coast.

It appears that representations had been made to the ministry by persons in Massachusetts that Rhode Island had not performed her part in the Louisburg expedition, a charge which gave great uneasiness to the governor and the people, and caused Governor Wanton to write Richard Partridge, the Colony’s agent in London, in order that he might vindicate the Colony, “which had always distinguished itself by joining with readiness and zeal in all expeditions ordered by the Crown”. He says that when Massachusetts first applied for assistance the Colony had expended all its funds to defray the unfortunate expedition against Carthage; that the tax for putting the Colony in a state of defense was unpaid; the people burdened with the expense of defending our charter privileges and for carrying on the suit about the boundary; that the Colony was then drained of men to an uncommon degree, and that of two hundred and fifty sent away in the West India expedition, not twenty had returned. Furthermore, that they had then eight or ten well-manned privateers cruising, which greatly embarrassed them in raising seamen. But, notwithstanding all these, Rhode Island had fully manned and sent out the sloop *Tartar* and permitted Massachusetts to raise men in the Colony, besides voting a bounty of forty shillings to every man who enlisted.

The Colony’s sloop, *Tartar*, which often has been mentioned, mounted fourteen carriage and twelve swivel guns. She conveyed the Connecticut troops and proved of great service in the expedition.



Besides this, it is stated that the inhabitants of Newport subscribed £7,000 towards the pay of a privateer manned and partly owned there.

“This,” says Governor Wanton, “is the assistance we have given, which was really the utmost we were able to give, the Colony never having exerted itself with more zeal and vigor on any account; and it ought to be observed that no other of the remaining Colonies, except Connecticut and New Hampshire, could be induced, at the first, to give any assistance at all; nor, afterwards, all of them together, to give so much and such effectual assistance as this little Colony cheerfully afforded, at the hazard of leaving our sea-coast unguarded, and our navigation exposed to the enemy’s privateers.” He further sends letters from General Pepperell and Admiral Warren, acknowledging the aid they had received from Rhode Island in the expedition.

Mr. Partridge, although a Quaker, stood manfully forward in defending Rhode Island against the aspersions of Massachusetts, by laying before the secretary for the colonies the facts contained in Governor Wanton’s letter. In his reply he says he made known the loyalty and obedience of the people of Rhode Island to the crown and called the secretary’s attention to the promptness which they had exhibited in embarking in every expedition ordered by Great Britain and in furnishing their quotas of troops; furthermore, that “in the wars by sea, the Privateers of Rhode Island did more execution against the enemy’s Privateers that infested their coasts, than all the ships of the Massachusetts, or, indeed, of all the Colonies in those parts put together.” He adds, “I wish thou couldst get a few lines from Commodore Warren and send me in justification of the Colony, to take off the edge of those assertions [of Massachusetts], which I believe have been spread by Agent Shelby here.” The governor profited by the suggestion of Agent Partridge, and the General Assembly, at its October session, 1745, passed a resolution appointing Peter Bours a committee to wait upon the Hon. Roger Wolcott, deputy-governor of Connecticut, and major-general of the forces that reduced Cape Breton, and request of him a certificate of what he knew respecting the conduct of this Colony in the expedition against Cape Breton and Louisburg. Commodore Warren was probably not accessible; and, if he was, General Wolcott had more direct intercourse with the Rhode Island troops than he. General Wolcott promptly complied with the request of the General Assembly by supplying the certificate required, in which he recapitulated the important services rendered by Rhode Island. This, together with the letters of Admiral Warren, Sir William Pepperell, and others; the various acts of the Assembly for raising troops, furnishing vessels, provisions, ammunition, etc., together with a general account of all the expenses which had been incurred by the Colony, were ordered to be procured and forwarded to the home government without delay.



At the close of the year 1745 a great calamity befel the town of Newport, which had ever been active in fitting out privateers against the enemy. Two large and costly vessels of this kind had just been completed at Newport, where they were owned and manned, although Colonel Malbone was the chief owner. Each of these privateers was manned with over one hundred men and mounted twenty-two guns; most of the men were residents of Newport and had families there. The ships set sail the day before Christmas at the beginning of a violent snow storm, bound for the Spanish main. The gale increased to a hurricane and continued two days. The ships were never heard of after and it is believed they foundered at sea with all on board. "By this fearful disaster," says Arnold, "more than four hundred lives were lost, and nearly two hundred wives in Newport were made widows."

In the spring of the following year the Duke of Newcastle addressed a letter to Governor Wanton, informing him that two regiments would at once be sent to Louisburg to support its garrison; that Admiral Warren was about to retire, to be succeeded by Admiral Knowles, and that if the latter should have occasion to apply to him "for assistance, either by raising any number of men to reinforce the garrison, or in any other manner, that shall be thought proper", he shall use his utmost endeavors to furnish him with it.

It is almost impossible to look back to that far time, when the population of the Colony was so limited in number; when her resources consisted of the meagre products of the soil, with no manufactures and a limited commerce, and find her so frequently called upon to aid her mother country in the many wars of the period. Whether in a war with Spaniards, it was necessary to send men to the West Indies; to reduce the Indians on the frontiers of New England, New York and Pennsylvania; to stop the progress of the French at the distant posts of Niagara and Oswego; to wrest from them the colony of Cape Breton; or, finally, to embark in the grander enterprise of reducing Canada, our little Colony seems to have been called on alike for troops, seamen, provisions, ammunition, and ships. With four times the population and a hundred times more wealth, we should deem such demands large, even in our day; but it must be remembered that at the period in question Rhode Island was the most powerful at sea of either of the English colonies in America, and held a comparatively high rank among the few colonies from which the thirty-four States of the Union have sprung.

In the spring of 1746 the war sloop *Tartar* had returned from Louisburg, when she was refitted, manned, and sent off on a cruise as far east as Martha's Vineyard and as far west as Sandy Hook. At the same time, in consequence of applications from the governors of the Provinces of New York and Massachusetts, the General Assembly

passed an act to appoint commissioners to confer with those of the northern Colonies to provide for mutual defense against the common enemy. The men appointed on this committee were Abraham Redwood, Peter Bours, and Stephen Hopkins.

A month later than the letter before mentioned, on the 9th of April, 1746, another letter was received from the Duke of Newcastle, conveying the important information that the government, flushed with its success at Louisburg, had determined upon a great expedition for the reduction of Canada. Five battalions of troops, under command of General St. Clair, were to be transported, with a convoy of men-of-war, to Louisburg, where they were to be joined by two regiments from Gibraltar and such others as shall be levied in North America.

The Rhode Island troops suffered greatly during the winter they remained at Louisburg. One of the companies lost its captain and half its men, which rendered it necessary to consolidate the remainder into two companies. The General Assembly therefore directed Governor Wanton to write General Pepperell and Admiral Warren requesting them to discharge all the Rhode Island troops, agreeable to their promise, except such as had enlisted in the king's service, and to send them back with their arms, together with all other property with them that belonged to the Colony. At the same time, and before Warren and Pepperell had received Governor Greene's letter, they wrote him that they "should keep their faith with the old troops" by sending them home; but nevertheless they still enjoined him to encourage new enlistments among them, as well as to raise and forward as soon as possible the new levies called for.

The *Tartar*, manned with ninety men, exclusive of officers, was again sent to sea to guard the coasts; at the same time a letter was written to the governor of Connecticut, requesting that their Colony sloop might join the *Tartar* in her cruise.

The war fever had by this time extended itself to the other Colonies and the governors of New York and Massachusetts requested Rhode Island to appoint commissioners to meet those of the other Colonies, to consider measures for their "mutual security, defense, and conduct during the present war".

Accordingly William Greene, who had just been elected governor of Rhode Island, convened the General Assembly at Newport in June, 1746, and an act was passed in conformity with the wishes of his majesty, made known through the Duke of Newcastle, providing for raising forces for the proposed reduction of Canada. Three companies of one hundred men each were ordered to be raised forthwith, and a committee consisting of John Cranston, Abraham Redwood, Jonathan Nichols, and George Wanton was appointed to procure the necessary stores and transports to convey the troops to Louisburg or

Quebec. As an encouragement for enlistments a bounty of fifty pounds in bills of public credit and a suit of clothes were offered to each soldier. A bounty of two hundred pounds in addition to their wages was offered to pilots who were acquainted with the navigation of the St. Lawrence. The Tartar was recalled from her cruise and ordered to accompany the expedition; an appropriation of £11,250 was made in a new issue of Bills of Credit to defray the expenses to be thus incurred.

While these events were in progress the Colony became involved in a controversy with the governor of Havana regarding the selling into slavery of twenty-two Spaniards who had been captured by the Rhode Island privateers, *Defiance* and the *Duke of Marlboro*, commanded by Capts. John Dennis and Robert Morris. After proper investigation the General Assembly made adequate reparation for the offense by seeking out the captured Spaniards and ordering them sent to Cuba under a flag of truce.

The government authorities of this Colony were active in their efforts to aid the proposed expedition to Canada; enlistments were hastened, transports were ordered to be got in readiness, and the sheriff of Newport was empowered to impress seamen for manning the vessels. The whole force ready on July first was to be concentrated at Newport. While these preparations were in progress urgent letters were received from Admiral Warren and Governor Shirley for both seamen and soldiers, from the fact it would appear that the authorities assumed that this Colony was a nursery for military men which could never be exhausted. Admiral Warren wrote, "I am of opinion that all seamen should be engaged that you can possibly meet with, to go in the armed vessels of each Colony; and that no time be lost, as the season will soon render it impracticable to make the attempt this year". Governor Shirley, after urging upon Governor Greene the necessity of completing the levies, said, "this will, in all probability, be the only favorable opportunity of attempting to drive off the French from the northern part of this continent", etc. Besides the quota of troops required from this Colony, Shirley and Warren requested that it should provide two brigs or scows, with eighty men and ten guns each, and that the whole force should be provisioned for ten months. To the various letters from Admiral Warren, Governor Greene wrote the following reply by order of the Assembly:

"PROVIDENCE, July — — —, 1746.

"SIR:—I acknowledge the favor of yours, upon your arrival in Boston, and would beg leave to observe to you, that, however small the quota of men proposed by Rhode Island may seem, when the votes of the several Governments for raising men are compared, yet, if the smallness of this Government be considered, and its present circum-

stances, the quota of men voted must be looked as many as, in reason, could be expected from this small Colony.

“Upon a fair and exact computation, the number of men in the Colony of Rhode Island, proper for bearing arms, cannot be computed to be more than three thousand; which number must be greatly lessened within these few months past by the number of vessels fitted out and cruising against His Majesty’s enemies.

“There being out of this Colony, and fitting out on that account, three ships of about twenty guns each; one snow and four brigantines, of about sixteen guns each; and four sloops, of about twelve guns each; which are all manned from this place, and are actually out on their cruise, saving one brigantine and two sloops, now fitting out, and which, in this small Government, must necessarily greatly exhaust the number of men fit for His Majesty’s service on the present occasion.

“However, this Government considered the expedition intended for the reduction of Canada, as an undertaking of the utmost consequence to all His Majesty’s Colonies in America; and that they might be aiding and assisting as far as the strength and circumstances of this small Government would admit, cheerfully ordered three hundred able-bodied soldiers to be raised and sent to join His Majesty’s land forces; and one hundred seamen in the sloop *Tartar*, lately in His Majesty’s service, at Louisbourg, to attend on the sea force.

“As it has appeared by long and melancholy experience that the peace and welfare of His Majesty’s subjects in North America can never be established as long as Canada subsists, it was with the greatest joy that His Majesty’s subjects in this Colony received the news of his intentions to reduce it, and the appointment of Admiral Warren to have the chief command of the sea force, made the joy more universal; and, as in this Government, it has been a means of raising the soldiers and sailors with the greater ease; it is not doubted, but under the influence of Providence, will be of as happy consequence in the designed effect.

“Whatever directions shall be communicated respecting the forces from this Government will be received with pleasure, and put in execution with all possible expedition, by, Sir,

“Your most obedient humble servant, WILLIAM GREENE.”

The transports before mentioned were procured and anchored off Goat Island and the three companies of troops sent on board; one of these companies, commanded by Captain Sayer, was filled in Newport county; the second, Captain Rice, in Providence county; the third, Captain Cole, partly from each county. None of the inhabitants of Kent county was impressed, but for what reason does not appear.

While these warlike preparations were in progress France was no less active and was quietly planning an expedition on a grand scale, having in view not only the recovery of her lost possessions, but the conquest of all of the British colonies in America. A fleet of sixty

sail with 15,000 men, and a land force of 8,000, under the Duke d'Anville, were seen off our coast before the colonists were aware that such an expedition was contemplated, causing much consternation. At the request of Governor Shirley and Admiral Warren, then in Boston, Rhode Island's sloop *Tartar*, Captain Fones, was dispatched with the news to Admiral Lestock, who was then expected on the coast of Nova Scotia with an English fleet. Meanwhile the most active preparations were made by erecting new works on Goat Island, and otherwise providing for the defense of the Colony against the expected French fleet. But the fleet did not appear during that summer, and late in October Governor Greene received a letter from Governor Shirley and Admiral Warren thanking the Colony for the spirit it had shown "by so cheerfully promoting a service of so much importance as the relief of Annapolis Royal, and the saving of it from falling into the enemy's hands". The writers had also learned from French prisoners that the dreaded fleet had met with severe reverses; a subsequent letter informed Governor Greene that the dreaded armada had been dispersed and disabled in a violent storm in the West Indies, that Admiral d'Anville was dead, and that the Canadian camp before Annapolis Royal had been broken up. At the same time misfortune attended the Rhode Island transports; overtaken by a violent storm, some of them were wrecked on Mt. Desert and half their men perished; others suffered severely from the weather and disease; a portion landed at Martha's Vineyard, whence they went to Boston. The expedition had thus proved a failure.

But notwithstanding the failure of this sea expedition, it was determined to send a large body of colonial troops overland for the capture of the French post at Crown Point. Rhode Island was again called upon for troops, but owing to the lateness of the season, and being without transports or men in condition for the undertaking, the Colony took no part in it; Connecticut also declined to furnish troops. A call came also from Governor Shirley for reinforcements to send to Nova Scotia to secure the conquests made there in the preceding year; this call was submitted to the General Assembly, but was declined for the reasons just mentioned. The cheering news soon reached the Colony that Parliament had made a grant of 800,000 pounds for paying the charge of taking and keeping Cape Breton by the people of New England, and for raising forces for the desired Canadian expedition.

Again in the following spring came urgent calls in letters from the Duke of Newcastle upon the New England colonies to supply troops for maintenance of British power in the island of Cape Breton. Governor Shirley and Admiral Knowles reiterated the demands of the king in letters to Governor Wanton. The Colony made bitter complaints at this time at the backwardness of the home government



in repaying the heavy charges incurred in the expedition against Louisburg and the more recent expenses of sending troops and supplies to the relief of Annapolis Royal. A long correspondence took place on this subject between the governors of Rhode Island and of Massachusetts, which may be found in the Colonial Records. From Governor Wanton's letter to the Lords of the Treasury it is shown that the cost of raising three companies, arming them, furnishing supplies, transports, etc., for "the late expedition to Canada", £76,083 11s. 4d., New England currency, or, reduced to sterling, £10,144 9s. 6d.; of this sum there was allowed only £7,504 4s. 4d. The treasury allowed also for the Cape Breton expedition £6,322, which was subsequently reduced to £3,700; this was not paid until 1750, and then only after the most urgent calls. The Colony received also £7,507 for expenses of the campaign of 1746-7.

By the treaty of peace signed at Aix-la-Chapelle on April 19, the conquests made by the New England troops reverted to the French, which caused great disappointment in the Colonies.

The war sloop *Tartar*, anxious for another brush with the enemy, went to sea without orders. She soon fell in with a Spanish vessel, bearing a pretended flag of truce, which she captured and sent to Newport in charge of Lieutenant Vaughan, where her cargo, consisting of sugar, was discharged; this sugar was intended for one of the northern colonies. As there was supposed to be something illegal about this seizure, the matter was brought before the General Assembly and a committee reported that the sailing of Captain Holmes without orders was a flagrant misdemeanor; but it appears that it was without evil design and to keep his men from deserting, and the captain was not suspended. After this the *Tartar*, which had performed such effective service, was dismantled and her crew discharged.

Complaints were made at about this time to the Lords Commissioners of the Admiralty that an iniquitous trade was going on between Rhode Island Colony and the king's enemies under flags of truce. Inquiries were made which showed that during the previous year more than twenty vessels, commissioned as flags of truce by the Rhode Island government to carry prisoners of war to the West Indies, had in reality taken only a few prisoners; but, under their commissions, had carried cargoes of provisions to the French, and in return had brought back the produce of the French sugar plantations.

Peace between France and England did not long continue. In 1753 war began and the New England colonists were called upon to take up their share of the burden. Fort George was put in repair at a cost of £10,000 which was raised by a tax on the Colony. An order came to raise 3,000 men in New England, to be placed under command



of Generals Shirley and Pepperell. The General Assembly was convened and promptly passed an act to raise four companies of one hundred men each, "to be employed on a secret expedition". Measures were adopted, also, to prevent the exportation of provisions that might find their way to the enemy.

Preparations for the oncoming war were on a more extensive scale than the previous struggles. While it was the apparent purpose of the French to make conquests that would confine the English to a narrow strip of land along the Atlantic coast, the English determined, on the other hand, to secure control of the country from Nova Scotia to the Mississippi. Attack on the French was to be made at Quebec, Montreal, Crown Point, Oswego, Niagara, and Fort Duquesne (on the site of Pittsburg). The campaign opened with Braddock's attack on Fort Du Quesne, where he was signally defeated. At this time Governor Shirley, who was one of the most active and effective spirits of this war, saw an opportunity to carry out his cherished plan of striking the enemy in the interior. He wrote Governor Greene on February 24, 1755, that "the expedition in Nova Scotia and the schemes which occupy the attention of the French and a great part of their forces on the Ohio, afford a most favorable opportunity for the five Colonies of New England, and those of New York and the New Jerseys, to erect such a fort near Crown Point as may command the French fort there and curb the city of Montreal". An expedition against Crown Point became Shirley's leading measure, and it was organized and placed under command of Col. William Johnson, the most influential of the pioneers of the Mohawk valley in New York Province, and who had obtained almost unlimited confidence among the Iroquois Indians. As on former occasions, Rhode Island was called upon by both the king, through Secretary Robinson, and by Governor Shirley for its quota of troops and other war necessities. The former intimates that "as there is a considerable number of foreigners, particularly from Germany, in the Colony, who will be capable and willing to bear arms upon this occasion", a portion of the desired recruits may be obtained from them. At the May session of the General Assembly an act was passed for raising four companies of troops of one hundred men each, to co-operate in Governor Shirley's plans, and another act was passed to emit £60,000 old tenor, in paper money, towards defraying the expenses of the expedition.

The encroachments of the French was the watchword used by the ministry and their agents in America to rouse the Colonies to action, upon which subject Governor Shirley wrote Governor Greene a forcible letter explaining the situation. The four companies ordered to be raised by Rhode Island were placed under command of Col. Christopher Harris, the commissary being Christopher Champlin. Liberal pay was allowed in addition to a bounty of twenty pounds to

such soldiers as were provided with a good firelock. While these preparations were in progress news was received of Braddock's defeat, causing great consternation in the Colonies, and renewed efforts were at once made to check the advance of the French. In August the Assembly voted to raise three additional companies of fifty men each for the Crown Point expedition; these were soon ready and were sent with dispatch to Albany to join Colonel Harris's command. An additional £20,000 were voted to be issued in Bills of Credit towards defraying the increased expenses of the expedition. Seven members of the Assembly protested against raising the additional troops, as they were "unwilling to load their constituents with a burden which they thought exceeded their ability to bear".

Fearing that vessels sailing for foreign ports might carry supplies to the French, six vessels lying in Newport harbor, laden with provisions for the West Indies and Africa, were embargoed and the Committee of War was empowered by the Assembly to take from them for the use of the government so much as they deemed necessary for the troops. About the same time a letter was received from Governor Phipps, of Massachusetts, transmitting a communication from Admiral Boscawen relative to the state of the town and garrison at Louisburg, which confirmed him in the opinion that the French had been supplied by the English colonies with provisions. These charges as far as they related to Rhode Island were investigated by a committee and found to be "absolutely without foundation".

In September, after advices had been received from Major-General Johnson to the effect that the French would bring into the field at Crown Point a larger force than that of the Colonies, an act was passed by the Assembly to raise still another two hundred men to reinforce the English army.

Before these latter troops reached the front the battle near Lake George had been fought and won by the English over the forces of Baron Dieskau, with a loss of about three hundred to the former, and thrice that number to the enemy. Johnson was wounded early in the battle, leaving General Lyman in command, and Baron Dieskau was mortally wounded and taken prisoner. Johnson was knighted for his services in this, the most important engagement yet fought between the French and English. The Rhode Island troops engaged in this campaign, or on their way to the field of operations, numbered seven hundred and fifty men, divided into eleven companies. To sustain so large a force required more means than the Colony could command, and the alternative was the issue of more paper money, to the amount of £60,000, which was known as Crown Point Bills.

Although the war was active on land, there does not appear to have been such struggles at sea as in the former contests; at least there is no record that privateering was carried on as extensively. The

people may not have been prepared; and, besides, the military resources of the Colony were so heavily taxed for the Crown Point expedition that the navy had not time to assume its former high standing. The system of privateering was early resorted to in Europe, and the Channel ports were filled with prizes taken from the French. A vessel belonging to the Marquis de Lambertie, which had put into Newport in June, was seized and condemned by the Court of Admiralty and the marquis was imprisoned. He was afterwards sent to England, where he complained of his treatment in Rhode Island; but the government made him no redress.

In order that the English colonies might act in concert in their war measures, commissioners were appointed to meet General Shirley for consultation. Governor Hopkins and Stephen Urdike were appointed on the part of Rhode Island. The act authorized them to "concert measures for subsisting the troops now in the field and for the campaign; to agree upon the proportion or quota of troops to be furnished by each Colony", etc. The promptness with which this Colony had acted in raising and sending forward troops for the Crown Point expedition gave great satisfaction to the ministry. Secretary Robinson, in writing to Governor Hopkins under date of November 11, says:

"I have received the King's command to express to you His Majesty's sense of the great zeal and spirit which the Colony under your government has so strongly manifested, in so cheerfully and effectually promoting this necessary and important service. The King further orders 'that this letter be communicated to the Council and Assembly, that they be acquainted that His Majesty will take an early opportunity of laying the particulars of their meritorious conduct, upon this great occasion, before Parliament' ", etc.

Owing to the lateness of the season the reduction of Crown Point was abandoned by General Shirley and the larger part of the troops returned. Of the Rhode Island contingent one hundred and eighty-five were retained in the service, of which a part was to remain in the garrisons at Fort Edward and Fort William Henry, near Lake George; the remainder were discharged. While some of the Colonies lost confidence in their commander on account of his abandonment of the Crown Point assault, Rhode Island continued her preparations for another campaign through the winter. At its February session the Assembly voted to raise a regiment of five hundred men, exclusive of officers, to be divided into two companies, including those who had remained at Fort William Henry. Christopher Harris was appointed colonel and Christopher Champlin lieutenant-colonel. During the winter communication was kept up with the troops left at Fort William Henry. Commander Gleason, in writing to Governor Hopkins, says that Captain Whiting, of Rhode Island, is adjutant of the

garrison and highly commends all the officers belonging to the Colony. The Assembly, in order to furnish the means for carrying on the war, passed an act to issue £8,000, equal in value to the lawful money of the Colonies of Massachusetts Bay and Connecticut; in silver their value was stated as six shillings and eight pence to the ounce. It was further enacted that all the money received from Great Britain for defraying the expenses of the war should be appropriated to sinking the paper issues called the Crown Point Bills, and after this, to sinking the £8,000 just ordered to be issued. Thus it appears that, while the Colony was ready to issue paper money to fill its treasury, it ever manifested the most earnest desire to redeem its issues. To rebuild Fort George, in Newport harbor, and place it in a state of defense, an additional £5,000 were appropriated.

In March advices reached the Colony that General Shirley had been superseded as commander of the forces and that the Earl of Loudon was appointed in his place. The king, through his secretary, pressed the Colony in the strongest manner to "make early and effectual provision for raising, and assisting His Majesty's Officers to raise sufficient men to recruit the several Regiments in North America up to their full establishments". As a further inducement for men to enlist, each was to be allowed a grant of two hundred acres of land, in either the Province of New York, Nova Scotia, or New Hampshire, at their own choice. The governor was directed to "acquaint the Assembly with His Majesty's great goodness in having recommended their case to Parliament, who have granted one hundred and fifteen thousand pounds to be distributed, in such proportion as the King shall think proper, to the four Provinces of New England and to those of New York and New Jersey; and thereby enabled His Majesty, not only to manifest his sense of their past services, but, also, to encourage them, for the future, to exert themselves in the service with spirit and vigor". It was gratifying to the colonists thus to know that their services had been appreciated; and, not the less so, in finding that, in ordering a new regiment to be raised for the Crown Point expedition and in providing money for its support, they had anticipated the wishes of their sovereign.

With the opening of spring a hundred additional soldiers were raised to reinforce the Rhode Island troops for an expedition against Crown Point. Our little Colony did not wait for orders from England to prepare for the war, nor did she need to be urged to furnish men, as was necessary with some of her sister Colonies. The General Assembly at once voted to raise troops for another campaign, and she came nearer filling her quota than any other Colony, as General Winslow wrote Governor Hopkins. The Colony was active in all directions for aiding in the prosecution of the war. Seamen were urgently called for by General Shirley for manning ships at Halifax, without whom,

he writes, it will be impossible for His Majesty's ships to protect the Colonies; and adds that he has thus taken the liberty to call on Rhode Island for these men "by the knowledge of the ready assistance the Colony has always so laudably given His Majesty's forces on the like occasions".

Sir Charles Lawrence soon afterward wrote Governor Hopkins that many of the French inhabitants of Nova Scotia, distributed among the different Colonies, had procured vessels and embarked on them in order to return by coasting from Colony to Colony. Sir Charles, believing that the return of these people would endanger the security of the Province, urged upon Governor Hopkins the necessity of detaining any such vessels as might be in Rhode Island, or might attempt to pass through it.

The news of the taking of Oswego by the French under the gallant Montcalm created great alarm in the Colonies and led to renewed effort to conquer and expel the enemy. Lord Loudon called upon Rhode Island for more troops, carriages, and ox teams to transport provisions. Soon after this disastrous event news arrived that the French army was advancing from Canada towards the English settlements. Massachusetts was about to raise six hundred men, in addition to whom one thousand were ordered to be raised in the western part of the Province, all for the relief of the provincial forces then engaged in the Crown Point expedition. The General Assembly of Rhode Island was called together and passed an act for raising four hundred men, to be sent on to Albany as a further reinforcement of the army.

While this activity prevailed in prosecuting measures for repelling the enemy by land, the same spirit of enterprise which existed in former wars was awakened to maintain superiority at sea. Many privateers were fitted out which scoured the coast and extended their cruising ground to the West Indies. One of these, the *Foy*, of eighteen guns, with a crew of one hundred and eighty men, commanded by Captain Dennis, sailed for the Spanish main and was never afterward heard of.

To prevent the French from getting a supply of provisions from the Colonies an act was passed, prohibiting the exportation of provisions from any place within the Colony to any Dutch or neutral ports. This act further provided that if any master or owner of any vessel should "willingly suffer any collusive capture to be made of his cargo, he should forfeit all his real and personal estate".

In order to agree upon a plan for actively prosecuting the war, the Earl of Loudon addressed a letter to the Colony requesting it to send commissioners to meet others at Boston; James Honeyman and George Bourn were accordingly appointed, with instructions to lay



before the earl the condition of the Colony with reference to its fortifications, cannon, and military stores, together with a statement of its means of carrying on the war. They also passed an act for building an armed vessel to guard the coast, and for raising and paying four hundred and fifty troops for the ensuing campaign. Samuel Angell was appointed to the command of this regiment.

On the 4th of February, 1757, William Pitt, then secretary of state, wrote Governor Hopkins: "The King, having nothing more at heart than the preservation of his good subjects and colonies of North America, has come to the resolution of acting with the greatest vigor in those parts, in the ensuing campaign; and all necessary preparations are making for sending a considerable reinforcement of troops, together with a strong squadron of ships, for the purpose, and in order to act offensively against the French". Secretary Pitt urged the immediate calling together of the Assembly that they might order the raising of troops for Loudon's army. A fortnight later advices were received from Pitt that Rear Admiral Holbourne had been placed in command of the squadron and that if the Colony desired any assistance, application might be made to that officer. The Colony was directed to employ vessels to communicate with the squadron and to furnish the admiral with any information that could be obtained relative to the movements of the enemy. Soon afterward Lord Loudon communicated with Governor Hopkins, from New York, recommending the Colony to make vigorous preparations for offensive operations, and advising that an embargo be laid on the several ports in the Colony, without which he would be unable to carry out his plans. He also desired that the governor would furnish a full account of all the vessels in port, with the view of employing them as transports. The season having now advanced sufficiently for active operations, Lord Loudon directed that the Rhode Island forces, consisting of five companies, under Capt. Samuel Angell, should be sent by water with expedition and quartered at Albany.

The embargo laid by order of Lord Loudon in the northern colonies gave great dissatisfaction and was soon afterward removed as far as shipments of corn and other grain were concerned to Great Britain and Ireland, owing to the failure of crops in those countries. The Earl of Loudon, who was now about to relinquish command of the northern army, called upon Rhode Island to send one hundred and fifty men as a reinforcement to Major-General Webb, who was in command of the colonial forces at and near Albany, a request that was promptly complied with.

The many privateers which had been fitted out in the Colonies, as usual in time of war, now gave much trouble on account of their interference with the commerce of nations with which Great Britain was at peace. The Earl of Holderness, now secretary of state, addressed



a letter to the governor of Rhode Island, complaining in the strongest terms of "the piratical behavior of several privateers, fitted out in North America, against the Spaniards, in the West Indies", with which nation Great Britain was at peace. His lordship particularly referred to the Peggy, Hadden, master, of New York, and to a privateer from Halifax, which vessels had been guilty of acts against the Spaniards, "not only contrary to all humanity and good faith, but to the general instructions given to privateers". The governor of Rhode Island was directed to detain these vessels in case they should put into Newport. He was further instructed with reference to any future commissions given by him to privateers, as well as to all privateers from other Colonies which might come into the ports of the Colony.

A complaint of a more serious character against a privateer commissioned by Rhode Island, commanded by Isaac Hopkins, was made to the governor by Jan de Wendt, governor of the Island of St. Eustatius, in the West Indies, belonging to the Dutch. In his letter the Dutch governor states that Captain Hopkins, in a private brigantine-of-war, seized and carried off a ship with a valuable cargo belonging to gentlemen of that island, subjects of the States of Holland. That he, the said Hopkins, aided by one Richards, of Antigua, took possession of her "in sight of an English port, into which they might have carried her, but that, finding her papers and proceedings, regular, and despairing of success in that port, carried her away to Auguilla, twenty leagues distant, in hopes of taking some advantage from the inexperience of persons in trust there, in regard to the laws". The judge here, it seems, refused to libel the ship without first sending to Antigua for the advice of the consul. Upon this they pretended to send to Antigua and in the mean time advised the captain of the captured vessel to go to St. Eustatius to advise with the owners there. This, in the belief of the governor, was but a concerted scheme to enable the captors the more easily to run away with the vessel and to prevent the owners from pursuing and retaking her. Under these circumstances De Wendt had granted a flag of truce to Captain Bappel, master and part owner of the Dutch vessel, to proceed to Rhode Island and demand the restoration of the ship and cargo. He also called upon the governor of Rhode Island to "protect Bappel and aid him in the recovery of the damages he had sustained" from the privateer or their sureties. But the complaint of the worthy Dutch governor against the Colony did not end here, for he adds that he shall take the opportunity thus afforded to communicate with the governor to acquaint him with the cruel treatment he had received from a privateer from Rhode Island, whereof Nathaniel Sweeting was commander, in having a vessel taken and carried into New Providence. The cargo, he further asserts, though his own property, had been condemned as French, without having any other evidence for it, as

appeared by the statement of the case sent him by the judge's authority, than it being consigned to a Frenchman. Furthermore, he states that 4,950 pieces of eight (\$4.950) in cash, the property of the owner, Mr. Neuville, a Dutch merchant in Amsterdam, were taken. "Such proceedings as these", concludes De Wendt, "against neutral powers, upon a legal trade, will not bring honor on the English Government; and when they are properly represented, as they shall be, and come to appear before higher powers, will, no doubt, meet with their just resentment; and the owners of that privateer may rely upon it, I will never give the point up, till I have justice done me".

It appears that the commanders of privateers and masters of other vessels were in the habit of taking away slaves from the Colony without the consent of their owners, which had occasioned both inconvenience and loss to them. In consequence of this an act of the Assembly was passed, imposing a penalty of £500 upon any one who should knowingly carry off a slave. Owners of slaves were also authorized to go on board privateers or other vessels and search for their missing slaves, opposition to which by the masters rendered them liable in the same penalty as though they had carried them off.

It will be remembered that Oswego was taken by Montcalm in 1756, but the records do not mention what troops or other men were captured by the French. By a letter from Governor Pownall, of Massachusetts, to Governor Greene, August 4, 1757, it appears that among the prisoners were a number of shipwrights and other artificers sent from Rhode Island and employed by General Shirley at that place. These men were taken to Quebec and sent thence to England in a cartel ship. Governor Pownall writes: "Upon application to the Lords of the Admiralty, in behalf of these poor people, their Lordships, in consideration of their sufferings, were pleased to direct that they should be borne on board His Majesty's ships and take their passage therein to their own country. They are recommended to me. I cannot but esteem it my duty to do everything in my power to assist people who have deserved so well of their country and suffered in its service. I have, therefore, advanced them subsistence to carry them to their respective homes.

"It were impertinent in me to recommend those who belong to the Colony of Rhode Island to your Honor's care and protection.

"I cannot but presume, from the justice of their employers, that there will be no need to seek your Honor's assistance in helping them to their pay and other dues, which they claim from those who engaged them in the service".

The names of the Rhode Island prisoners thus restored were John Tarbox, Mat. Thompson, Robert Hart, Thomas Goddard, Jos. Peterson, Rufus Church, Samuel Mott, and Edward Channel. A report, made by a committee of the Assembly ten years later, to whom was

referred the claims of these men, contains their names and a statement of the period for which wages were due them. Their periods of service extended from thirteen to forty-five months, reckoning from the time of their engagement to their return to their homes. The committee reported in favor of allowing their wages and Governor Ward was requested to write to the agent of the Colony in London, directing him to apply to the government to pay these men.

The French in Canada had not been inactive while the English were concentrating at Albany and Fort William Henry, and had collected a large force of Canadians and Indians in addition to the royal troops. In June the Earl of Loudon with a large body of troops left New York for Halifax, there to join the British fleet to make an attempt to recover Louisburg. No sooner, however, had this large force departed, than Montcalm made a simultaneous attack upon the several posts occupied by the English near Lake George. With an army of 11,000 men he laid siege to Fort William Henry, then garrisoned by 500 men under Colonel Monroe, with a detachment of 1,700 entrenched near by. At this time General Webb lay at Fort Edward, fourteen miles distant, with 4,000 men, among whom were the Rhode Island troops. But they did not go to the relief of the besieged, under apprehension that the French force was much larger than it was. The English held out for six days, when they capitulated, with half their cannon burst or dismounted and their ammunition nearly exhausted. The English were permitted to depart with the honors of war, under pledge not to serve against the French for eighteen months.

Upon application of the Earl of Loudon an order was given to place at his lordship's disposal a company of seventy men, who were to be drawn from the Rhode Island regiment by Col. Samuel Angell, and remain with Loudon during the winter. The Council of War were authorized to provide and send transports to Albany to bring home the troops that had been engaged in the campaign.

Towards the close of the year renewed complaints were made by Secretary Pitt of "violences and depredations committed by His Majesty's subjects in America, against those of Spain", which had been viewed by him "with the highest disapprobation". To check these practices the governor was directed to enforce with the utmost rigor the observance of the instructions to privateers, and to employ great care in order to prevent all excesses, such as were alleged to have been committed in violation of the freedom of navigation by the subjects of Spain. The precise nature of these charges does not appear; but it is evident that the privateers commissioned by Rhode Island, which swarmed in the Indian seas, had not stopped to inquire whether it was a French or a Spanish vessel which they boarded, so long as it was a prize of value. These they took to various West India ports, where they were condemned and sold. Few of them were taken to

Rhode Island, and the only evidence of the success which attended a cruise was a valuable return to the owners in silver and gold or valuable merchandise.

The loss of Fort William Henry and the utter defeat of our troops caused the greatest consternation throughout the Colonies; but it was too late to begin anything new that season and the forces went into winter quarters. The General Assembly, however, passed an act to enlist two hundred and fifty men for the winter from those who were returning from Albany, a measure which gave great satisfaction to Lord Loudon, as shown by a letter from him to Governor Greene. The better to provide for the protection of the trade of the Colony the Assembly passed a vote to build a war vessel. During the same session a memorial was presented from the merchants of Providence, asking that application be made to the king for the appointment of a judge of the Court of Vice-Admiralty for the Colony. The memorialists represented that the merchants had become large adventurers in private ships of war, and that the property brought in by such vessels could not come into the hands of their owners until first adjudged and condemned by a proper court; that there was only a deputy in the Colony, who was so much limited and controlled by his superior, who lived out of the Colony, that great damage, delay, and inconvenience resulted.

With the beginning of the year 1758 the Earl of Loudon called for a convention of governors of the northern colonies to be held at Hartford. At its February session the Rhode Island Assembly resolved to send three commissioners, namely, the governor, Col. John Andrews, and Samuel Ward. They were directed to lay before Lord Loudon the exact state of the Colony as to its fortifications, cannon, warlike and military stores, the number of inhabitants, and the condition of the treasury. They were also required to ask of his lordship an allowance for the provisions and military stores furnished by the Colony during the two preceding years. The memorials presented to Lord Loudon by the commissioners present some important details regarding the actual state of the Colony at that time. They state that at the close of 1755 there were in the Colony 8,262 able-bodied men capable of bearing arms; but as they had lost many during the war, *and 1,500 were out in privateers*, they believed the effective force had been greatly reduced. This is certainly a very large number to be engaged in privateering, and shows to what an extent the business was carried on. From an order to pay certain residents of Newport the amount of their bills for the board of French prisoners, it is evident that our privateers had been active, for in no other way could such prisoners have found their way to Newport. The amount voted to be paid for the board of these men was £580 10s.

Admiral Lord Colvill, who had been appointed commander-in-

chief of his majesty's ships in North America, wrote Governor Greene from Halifax to the effect that his ships were short of seamen and desired him to raise and forward to him with the utmost dispatch as many as possible. At the same time dispatches came from Secretary Pitt expressing great disappointment at the result of the late campaign, and the determination of the king to recover his losses by the most vigorous and extensive effort. He thought the northern Colonies were able to furnish 20,000 men, which, with a body of the king's forces, might by way of Crown Point carry the war into the heart of the enemy's possessions. If found practicable Pitt also purposed to attack Montreal and Quebec. The secretary further reiterated the call of Admiral Colvill, "to supply him with such a number of sailors and workmen from the Colony, as he shall, at any time, require for His Majesty's service".

In September, 1758, General Abercrombie, who had been placed in command of the English forces, returned to England, and Major-General Jeffrey Amherst was appointed to the post of commander-in-chief of the king's forces in North America. The question of flags of truce occupied much attention at this time, probably owing to the powers claimed by them, and the General Assembly appointed a committee to examine the laws relating to them. By their report it appears that since the commencement of the war, only little more than a year, eleven commissions had been issued. Governor Greene had granted three and Governor Hopkins eight. The latter were issued to Ebenezer Tyler, Thomas Rodman, Nehemiah Rhodes, Paul Tew, Lemuel Angell, Samuel Thurston, John Updike, and Benjamin Wanton. The law regarding these vessels was now amended, a provision being made requiring every flag of truce to carry off all prisoners of war that were in the government at the time of issuing the commission, if they had the capacity for so doing. An exact account was also directed to be kept by the register of the Court of Vice-Admiralty of all prisoners of war brought into the government.

In January following (1759) came letters from Pitt expressing the intentions of the king in a campaign against the enemy, and stating that these could not be carried out except with the aid of 20,000 men from the Colonies. To render the levies more certain, General Amherst wrote Governor Hopkins to not disband the troops which had been employed in the campaign the previous summer, but to continue them in pay, and at the same time to take the necessary steps to raise the new levy. Several letters came from Pitt and Amherst upon this subject of supplying troops for the army in the beginning of 1759, and the governor was directed to urge on the Council and Assembly the importance of exerting themselves in the present critical and decisive emergency, on the results of which so much of the safety of the English rights and possessions in America depended. In reply to the requisi-



tion of Secretary Pitt the General Assembly ordered that the troops in the pay of the government should be at once augmented to one thousand, and divided into thirteen companies. The Council of War was directed to send as many of these troops to Albany as the transports would carry, the remainder to march by land; they were ordered to be ready by the 25th of March. The field officers of the regiment were Henry Babcock, colonel; Daniel Wall, lieutenant-colonel; John Whiting, major. Three of the companies were to be led by these field officers. To provide for the comfort of the troops the commissary and sutler were ordered to supply clothing and other necessaries not furnished by the crown. A singular clause was added also to the act providing for the regiment, as follows: "If Canada be reduced to obedience to His Majesty, during the present campaign, each of the soldiers in the service of this Colony shall be entitled to the sum of £10, lawful money, on his return, agreeably to the promise made the soldiers last year".

There were other phases of this war in which Rhode Island became quite deeply interested. This Colony at the beginning of the contest had considerable commerce with the French islands of the West Indies, and, as usual in such cases, property to a large amount belonging to Rhode Island citizens was seized or retained by the French authorities. To obtain such property the owners asked leave of the General Assembly to send out flags of truce. Godfrey and John Malbone of Newport obtained permission to send a flag of truce to the Island of Hispaniola for such a purpose, and the same privilege was granted Silas Cooke, of the privateer Providence, though for a different purpose. It appears from Captain Cooke's petition that, while on a cruise in the West Indies, he was captured by two French frigates and carried to the port of St. Mark, in Hispaniola. He and his crew were subsequently liberated and sent to Jamaica, with the exception of three Indians and nine negro slaves belonging to men in Rhode Island. The latter were to be sold, and knowing how highly they were prized by their owners, he made arrangements with a Frenchman to purchase them so that their owners might have an opportunity to redeem them. It was with the view of obtaining these slaves that permission was given Captain Cooke to proceed with a flag of truce to the port of St. Mark.

At the February session of the General Assembly a complaint was made by Silas Cooke, agent for Don Antonio Gomez Franco, a subject of the king of Spain, against the privateer Roby, Capt. Simon Smith, of Warren, which, on the 29th of January, entered the harbor of Monte Christo, a port on the Island of San Domingo, and there seized a Spanish vessel belonging to this Don Antonio, loaded with sugar, which he sent to Warren, where she had arrived and been claimed by the owners of the Roby as a lawful prize. Mr. Cooke showed that the



king, two years before, had prohibited his subjects from taking or molesting any of the subjects of his Most Catholic Majesty, on any pretense whatever, and as anything done by the people of the Colony, contrary to the proclamation of the king and against the Law of Nations, might draw upon them the displeasure of the king and involve the nation in a controversy with the king of Spain, which the ministry at home had carefully avoided, he prayed in behalf of Captain Rodriques, the master of the captured vessel, that it might be restored to him, together with its cargo. The Assembly accordingly passed a resolution citing the owners of the Roby to make answer to the matters alleged in the petition of Mr. Cooke.

Returning now to the campaign against Canada, it appears that Rhode Island, as usual, was required to furnish seamen for the fleet then at Halifax under Admiral Durell. This officer, under date of February 14, 1759, addressed two letters to Governor Greene on the subject. He stated that as the equipping and manning of the squadron under his command was "of the utmost consequence to His Majesty's service, and particularly to the Colonies", he was obliged to call upon Rhode Island for seamen. In case they could not be furnished the admiral stated that he should be obliged to apply to the regiments then at Halifax for them, which he feared might be detrimental to the operations by land. As an inducement for seamen to join his squadron he promised them a bounty of forty shillings sterling, and pledged himself that they should not be taken either to Europe or to the West Indies.

In compliance with this request of Admiral Durell an act was passed for raising seamen to complete the manning of the king's ships at Halifax, and to further manifest the zeal of the Colony in the cause, the Assembly voted to pay each able-bodied seaman who should enlist a bounty of forty shillings sterling in addition to the pay of the king. In order the more efficiently to carry this act into effect, the governor was requested to issue his proclamation embodying its features therein. At the same session the Assembly voted £10,000 towards procuring stores and necessities for the fort on Goat Island and for completing its ravelins. The town of Newport had the disposition of this money, as well as of the enlistment of soldiers for the fort.

To carry on the war it became necessary to resort to a tax wherewith to pay off the troops on their return from the campaign. The sum of £16,000 had already been voted for enlisting, equipping, and provisioning the regiment, and the apportionment of the proposed tax was now made. This brought from three citizens of Newport, Messrs. J. Honeyman, Joseph Wanton, jr., and D. Ayrault, jr., a protest against the bill. From this it is evident that the war had borne heavily upon the people. This the signers do not seem to have objected to, but they thought the people of Newport had to bear too large a proportion

of the tax. They say, "the merchants of Newport have lost, in the course of their trade, upwards of two millions of money, since the commencement of the War, which loss must greatly affect all persons residing in the town", who so much depend upon the prosperity of the mercantile community. They think, therefore, that "the inhabitants are not in a capacity to pay such proportion of the tax as is enjoined by the Bill". On the other hand, they believed that the increased price of provisions, by reason of the war, had greatly benefited the people in other parts of the Colony by whom these articles were produced; and that they in consequence should bear a larger proportion of the tax.

Preparations for the campaign for the conquest of Canada in 1759 were on a far grander scale than those of preceding ones. A powerful fleet under Admiral Saunders, with eight thousand men, in command of General Wolfe, was to attack Quebec. To reach Montreal by way of Lake Champlain the French forts at Crown Point and Ticonderoga were to be reduced, for which purpose General Amherst with twelve thousand men was to march from Albany; while, farther west, an entrance was to be made into Canada at Fort Niagara with a provincial army under General Prideaux, and a large body of the Six Nations of Indians under Sir William Johnson. The northern Colonies entered upon this campaign with great enthusiasm, notwithstanding their former sacrifices for the same end; but military spirit was manifested chiefly in New England and New York. Massachusetts, though she had sent large numbers of men before, now furnished no less than seven thousand for this war, including those sent to the frontier and in garrison.

The struggle began at Fort Niagara with General Prideaux's force of two battalions from New York, two British regiments, and the Indians under Johnson. Prideaux was killed at the beginning of the siege and the command devolved upon Johnson. Nine days later a general battle took place, which resulted in the defeat of the French and the surrender of their army. At the same time General Amherst commenced operations on Lake George with a force of twelve thousand men, of whom one-half were provincials and the remainder British regiments. The French had about one-fourth this number and they were forced to abandon Ticonderoga and Crown Point. These first results of the campaign were announced to Governor Hopkins in a letter from General Amherst, dated July 27, and the following was received by the governor, written three days after the fall of Ticonderoga:

"TICONDEROGA, July 29, 1759.

"HON'D SIR:—I have so many different things to do, that I have scarcely time to turn around. For God's sake, if you have any regard to the safety of your Government, as I am well assured no man can

have more, be good enough, as soon as possible, to appoint Major Whiting Lieutenant-Colonel, and Eb. Whiting, Major. I beseech you to do so, as it is for the good of His Majesty's service. The latter has been solicited repeatedly to take command in Inskilling Regiment, and he would not do it without my leave; and he is so good an officer that I could not, contrary to his private interests, let him go.

"I beg you would come up, and then you will see what is absolutely necessary. We want brass kettles, which I must draw upon Dow for—but how to get them here, I can't tell. I have not two minutes notice of this express going.

"The fort was evacuated the 26th of July, the same day that Louisburg surrendered.

"I am, &c., &c.,

H. BABCOCK."

To complete the story of the naval events of this campaign we give the letter of Admiral Durell, acknowledging the aid he had received from the Colony, etc.:

"PASS AMELIA, off the ISLE MADAME,  
"3d September, 1759.

"HONORABLE GENTLEMEN:—I received the honor of your letter, by Mr. Tripp, with the men you so readily and cheerfully raised for His Majesty's service, upon my application to you.

"I take the opportunity of the said gentleman, to return you my hearty and sincere thanks, as well for the men raised, as for your generous offer in assisting, at any time (upon timely notice given you) to raise a greater number, if His Majesty's service should demand it. I shall not fail, when I come to England, to represent the cheerfulness with which you acted upon this occasion.

"When you draw for the forty shillings bounty-money you have dispersed upon this account, you will be pleased to make your draught upon the Honorable the Commissioners of His Majesty's navy; and if said draught should be objected against, which I don't apprehend will be the case, you will be pleased to direct your correspondent, in London, to apply to me, and I will represent it to the Right Honorable the Lords Commissioners of the Admiralty.

"I am, with great regard, &c., &c.,

PHI. DURELL.

"To the Governor and Company of Rhode Island."

The result of the attack upon Quebec is familiar to all readers of history. The forces reached there on June 26, but little was accomplished during July and August. On the morning of September 13 the gallant Wolfe made a landing and met Montcalm in battle, in which both of those brave commanders were slain. Five days later Quebec capitulated. The news of the victory was received in Rhode Island with great joy and the event was celebrated with bonfires, illuminations, orations, and sermons. In England there were similar rejoicings, and a proclamation was issued appointing a day of public thanksgiving throughout the country.

After the fall of Quebec the government determined to continue the war with vigor and drive the French from every part of the continent. Further operations were, however, postponed for that season. The following letter was received by Governor Hopkins from Admiral Colvill, at Halifax:

“SIRS:—As I am Commander-in-Chief of His Majesty’s forces, in North America, the nature of my office, as well as my instructions, points out to me the propriety of corresponding with the several Governors of His Majesty’s Colonies on the Continent. Therefore, I make it my present request to your Excellency, that you will, as early as possible, communicate to me whatever intelligence you may receive, relating to the enemy; and, particularly, if any of their ships of war should arrive in your neighborhood, that part of the force under my command may be employed to defeat their purposes.

“I must likewise acquaint you that most of the King’s ships with me are short of complement, and, by death and sickness, will be still shorter in the Spring. There is no provision made to supply this deficiency from England; because ’tis supposed, there, that it can be done from the Colonies; and, although I am perfectly sensible, from former experience, how difficult it is to raise men in America, for the sea service, yet I am under the necessity of applying to Your Excellency for this purpose; because I have no other prospect whereby the strength of the squadron can be kept up.

“I am, &c., &c.

COLVILL.

“Northumberland, at Halifax, Nov. 1, 1759.

“To the Governor and Company of Rhode Island.”

Under date of December 13, 1759, General Amherst wrote Governor Hopkins, complimenting the Rhode Island troops for their services in the Canadian campaign. He adds, “and, as Colonel Babcock has, throughout the whole campaign, continually manifested his zeal for the service, and upon all occasions promoted it to his utmost, I should do him injustice were I to omit giving him this public testimony of it, and begging of you to return him my particular thanks for the same”. On the same occasion General Amherst made a requisition on the Colony for a regiment of troops, or rather requested that the regiment which had been in the late campaign should be filled and retained in the service during the winter. But the general was too late with this request, for the General Assembly, in its October session, had ordered the disbanding of the regiment upon its return, unless before that time a request for its longer retention should be received. In stating this fact to General Amherst the governor assured him that the Colony had no design of withholding further assistance to his majesty’s service, and that his future requisitions for troops would at once be laid before the Assembly, by which body they would “all be cheerfully and promptly carried into execution”.

Early in the following year a letter was received from Secretary William Pitt, calling for further aid from the Colony, asking for "at least as large a body of men" as were furnished in the last campaign, and "even as many more as the number of inhabitants may allow". The governor laid this letter before the Assembly at its February session, and it was promptly acted upon by the passage of an act for raising one thousand men "to proceed on an expedition against His Majesty's enemies still remaining in Canada, and for supplying the treasury for the necessary charges thereof". Bills of Credit to the amount of £16,000 were ordered to be issued towards carrying out the provisions of the act. The field officers of this regiment were: Christopher Harris, colonel; John Whiting, lieutenant-colonel; Thomas Burket, major. Among the company officers are found the names of Slocum, Watson, Peck, Tew, Brown, Shaw, Wilcox, Rodman, Eldred, etc. The Assembly also requested the governor to apply to the home government for the bounty due the troops in the campaign of the previous year. In addition to the £16,000 just mentioned, an additional £10,000 was voted in the following May.

The events connected with the campaign of 1760 against Canada, in which the Rhode Island regiment took part, belong to the history of the country rather than to that of this Colony. The French failed in an attempt to recover Quebec, and the whole British force was concentrated upon Montreal. The main army under General Amherst, including the Rhode Island troops, descended Lake Ontario and the St. Lawrence from Oswego, while General Murray came up from Quebec with four thousand men; Colonel Haviland, with three thousand five hundred, approached from Crown Point. Against the overwhelming force Montreal surrendered without a struggle, and the territory now constituting Michigan, with all of western Canada, soon after submitted, completing the reduction of Canada.

The General Assembly ordered that a proclamation be issued by the governor, disbanding the Rhode Island troops at the end of fifteen days after their discharge by the general, with orders to march home. The Assembly also appointed a day of general thanksgiving for the success of his majesty's arms.

In October, 1761, William Pitt resigned his seat in the Council, and the Earl of Egremont became secretary for the Colonies. He soon afterward wrote requesting that this Colony should raise six hundred and sixty-six men, the same quota furnished the previous year, to be placed under General Amherst; this request was readily complied with. Amherst also made a requisition for one hundred and seventy-eight additional troops to complete the regular corps, and these were also furnished.

In January following Lord Egremont transmitted to Governor Hopkins the king's declaration of war against Spain, with an order



that it be proclaimed in the Colony. He further announced that his majesty had been pleased to authorize the granting of letters of marque, or commissions to privateers. This news was particularly gratifying to the colonists, who were always ready to embark in enterprises on the sea.

Before the regiment referred to was raised a letter from General Amherst requested that the quota of two hundred and seven men, with one field officer and other officers, be sent to him at New York with the utmost dispatch, to be employed in an "expedition of the utmost importance". This detachment, which was commanded by Lieutenant-Colonel Hargill, proved to be a part of the troops organizing for an expedition to Cuba.

By the seizure of some French papers in New York it was learned that they had made extensive plans for supplying their fleets and their West India colonies with provisions, and that Rhode Island was one of the principal colonies upon which they were relying; also, that some of the merchants of Newport were to be concerned in the "iniquitous trade". To stop this, General Amherst wrote Governor Hopkins, directing him to cause an embargo to be placed upon all vessels except those engaged in transporting troops. Samuel Ward, who had just been elected governor of Rhode Island, replying to Amherst, says that, "although a few persons may have been concerned in the injurious traffic referred to, the people of the Colony in general are very far from countenancing any measures which have the least tendency to obstruct His Majesty's service or support his enemies".

From a petition presented to the General Assembly by Capt. Edward Wells, jr., of Hopkinton, it appears that the enemy sometimes took the Colony's vessels. The petitioner represents that "he hath lost large sums of money at sea by the enemy's taking his vessels", and "is likely to be ruined thereby". "That by reason thereof, he cannot pay his just debts without the assistance of the Assembly". He therefore asked and obtained permission to conduct a lottery to enable him to dispose of his goods.

In compliance with the request of General Amherst, before mentioned, a company of sixty-four men, with two officers, were detailed from the Rhode Island regiment to remain at Fort Stanwix until the following July. The remainder were transported to Providence by water from Albany.

Governor Ward found difficulty in raising men to make up deficiencies in the regular army, as required by the Earl of Egremont, although the colonists were readily enlisted as colonial troops. In his reply to the earl, the governor wrote that there "was a great scarcity of men, which was occasioned by the provincial levies and the spirit of privateering prevailing since the breaking out of the Spanish war". He was, however, able to send to General Amherst a number of recruits



who had arrived at Newport from the British frigate Hussar, which had been cast away on the Island of Hispaniola.

The taking of Havana was the most brilliant achievement of this war, although it was attended with great loss of life. A fleet under Admiral Sir George Pococke sailed from England in March, and, uniting with the squadron of Lord Rodney, formed a powerful expedition of thirty-seven ships of war, one hundred and fifty transports, and ten thousand troops. Besides these there were the reinforcements from the colonies, which sailed from New York under General Lyman, numbering about two thousand five hundred men, to which must be added about the same number of negroes from the West India islands. The Spanish garrison numbered about four thousand six hundred. The siege of Moro Castle began in June, amid great heat, which caused many fatalities among the soldiers from a more northern climate; but after great hardship and fearful loss of life, a breach was made in the walls of the castle and it was then carried by storm; a fortnight later the city itself capitulated. The amount of treasure captured is stated to have been three millions sterling. The following letter from General Amherst announces the victory and states that the Rhode Island troops took part in it:

“NEW YORK, 6th September, 1762.

“SIR: 'Tis with the highest joy and satisfaction that I can inform you of the reduction of Havana; having received letters from my Lord Albemarle, by the Enterprise man-of-war, which arrived here at two o'clock.

“His Lordship acquaints me that the Moro fort was taken by storm, on the 30th July, very much to the honor and credit of the troops, and on the 13th August the Havana, with its dependencies, surrendered by capitulation, and is now added to His Majesty's conquests.

“The fatigues the troops have undergone during a long siege are not to be described; and the spirit and resolution with which they have carried on the different operations in that climate are not to be equalled.

“It gives me particular satisfaction that the troops furnished on this occasion by the Colony of Rhode Island arrived in time to partake of the honors reaped by so noble a conquest.

“I am, with great regard,

“Your most obedient servant,

JEFF. AMHERST.

“To the Hon. Gov. Ward.”

In a letter from Amherst, of September 15, he thanks Governor Ward and the Assembly for their promptness and cheerful compliance with his requisition for troops for Fort Stanwix. On October 13 he apprised the governor of the retaking of St. Johns by the British fleet under Lord Colvill.

The troops engaged in the expedition against Havana returned to New York late in November, when those from Rhode Island were forwarded by transports to Newport. It appears by General Amherst's dispatch that the loss in men from the unhealthiness of the climate was very great. Of the two hundred and twelve furnished by Rhode Island, only one hundred and twelve survived the siege. A dispatch from the Earl of Egremont, dated November 27, to Governor Ward, announced the welcome news that peace had been ratified between Great Britain, France and Spain, whereupon the following proclamation was made by him:

“By the Hon. Samuel Ward, Esquire, Governor, Captain-General and Commander-in-Chief of, and over the English colony of Rhode Island and Providence Plantations, in New England in America. To all whom these presents shall come, greeting:

“Be it known, that in pursuance of His Majesty's orders, signified to me by a letter from the Right Honorable the Earl of Egremont, one of His Majesty's principal Secretaries of State, cessation of arms between His Britannic Majesty, His Most Christian Majesty, His Catholic Majesty, and His Most Faithful Majesty, and their respective vassals and subjects, as well by sea as land, in all parts of the world, was published on Tuesday, the 8th instant, at Newport, in the Colony aforesaid.

“Given under my hand and the seal of the said Colony this 15th day of February, 1763, and in the third year of the reign of His Most Sacred Majesty George the Third, by the Grace of God, King of Great Britain, &c. SAM. WARD.

“By His Honor's comand,  
“Henry Ward, Secr'y.”

In the ensuing month of June an order was issued from the Commissioners of Trade and Plantations, directing that a day of public thanksgiving should be observed throughout all his majesty's colonies in America, on the happy conclusion of peace. The General Assembly accordingly appointed August 25, 1763, to be observed in compliance with the order, and the governor issued his proclamation “requiring the inhabitants to assemble together on that day, in their respective places of worship”, and also, “forbidding all servile labor, sports, and pastimes on that day”.

In this long nine years war the little Colony of Rhode Island took a most active part, furnishing more than her proportion of men for the army, besides complying with the constant requisitions for seamen for the fleets. She had willingly borne the increased taxation and submitted to the loss of her foreign commerce. She had been, however, in a measure remunerated for this loss by the profits which accrued from her numerous privateers, and it is safe to say that the military spirit which characterized the people of the Colony in its Revolution-

ary struggle, and which was again manifested by its contributions of men and money towards crushing the rebellion of the Southern States, commenced in the war between Great Britain and France for supremacy in America.

In the several wars in which Great Britain was engaged previous to the Revolution, it has been shown that she considered the maritime Colony of Rhode Island a nursery for seamen, whence she manned many of her ships; indeed, it was not alone when she was engaged in war that these calls were made upon us, for in peace her fleets were constantly on the lookout for seamen wherever they could be found.

Rhode Island had ever manifested the strongest loyalty for the mother country, as has been amply shown. Now, however, the colonists considered their rights and liberties had been infringed upon by increased duties upon articles necessary for her existence, and without which her commerce would be utterly destroyed. The proposed stamp duties and the increased powers to the Courts of Vice-Admiralty were grievances equally serious, and tended to alienate the hitherto loyal colonists.

When Rear-Admiral Lord Colvill, in 1764, sent four armed vessels from Halifax "to spread themselves", as he wrote to England, "in the principal harbors between Casco Bay and Cape Henlopen, in order to raise men", he did not meet with as favorable a reception in Rhode Island as on previous occasions. The vessel which came here was the schooner *St. John*, Lieutenant Hill. This officer, it appears from the admiral's dispatch, met with very little success, for, writes he, "the merchants having, to all appearance, entered into a combination to distress us, as far as they are able, and by threats and promises, to prevent seamen from entering".

But it was not alone in dissuading seamen from entering the king's service that Admiral Colvill had received a rebuff from the people of Rhode Island. His officer, Lieutenant Hill, having employed his vessel in other duties at Newport, met with resistance which he did not expect. "The behavior of the people at Rhode Island to Lieutenant Hill", wrote the Admiral, "in an affair of his duty as a Custom-house-officer, was so extremely insolent and unprecedented, that I think it my duty to lay before their Lordships an account thereof, under his own hand; and, at the same time to observe that, from his conversation, there is reason to think there are many aggravating circumstance committed in this account, which would appear upon strict inquiry into the affair".

This affair was a very serious one in the eyes of Admiral Colvill, and assumed the character of armed resistance to his majesty's government: hence he transmitted to England the following full report of his officers regarding it:

“On the 30th of June, being at Newport, in Rhode Island, I received information that a brig was unloading in a creek, near Howland’s Ferry. I immediately weighed anchor, and went in quest of her. Upon my arrival there, I found the vessel had unloaded her cargo and sailed.

“I forthwith made seizure of the cargo, which consisted of ninety-three hogsheads of sugar; and, at night, sent the boat, manned and armed, in pursuit of the brig, which was taken the next morning, at day-break, and proved to be the *Basto*, of New York, — Wingate, Master, from Monte Christo.

“I reloaded the sugar, on board of her; and the owner being apprehensive that I intended to carry her to Halifax, had me arrested, and obliged me to find bail that she should be brought to Newport and tried there; on the 4th July, the Collector of the Customs reseized the brig and cargo, under a pretence that I was not properly qualified; although I imagined that I had taken all the necessary oaths, at Halifax; yet it seems the oath of office had been omitted. I immediately set out, by land, for Boston, to consult the Surveyor-General, on this matter; and, in my absence, the mob, at Newport, endeavored to destroy the King’s vessel. The following is the account which I received of this affair, from my officers, upon my return:

“ ‘On Monday, the 9th July, 1764, at two o’clock in the afternoon, sent the boat, manned and armed, on shore, to bring off Thomas Moss, a deserter, who had left the vessel, some days before, and was then on the wharf; a large mob assembled and rescued him; and seeing our people in great danger, we fired a swivel, unshot, as signal for the boat to come on board. The mob took Mr. Doyle, the officer of the boat, prisoner, and wounded most of the boat’s crew, with stones, which fell as thick as hail around and in the boat; and they threatened to sacrifice Mr. Doyle, if the Pilot was not immediately sent on shore, and delivered up to their mercy; they even threatened to haul the schooner on shore, and burn her.

“ ‘At five, we sent the boat on board the *Squirrel*, to acquaint the commanding officer of our situation. In the meantime, the mob filled a sloop full of men, and bore right down to board us; but seeing us determined to defend the vessel, they thought proper to sheer off and go on shore again.

“ ‘At six, the boat returned from the *Squirrel*, with orders to get under way, and anchor close under her stern. The mob growing more and more tumultuous, we fired a swivel, and made a signal to the *Squirrel*, for assistance, and got under sail. As soon as the mob saw our design, they sent a sloop and two or three boats full of men, to the battery, on Goat Island, and began to fire on us, notwithstanding the Lieutenant of the *Squirrel* went on shore and forbade the Gunner to do any such thing. They even knocked him down; and it was with difficulty that he got from them; they fired eight shots at us, one of which went through our mainsail, whilst we were turning out.

“ ‘At eight, we anchored in ten fathom water, within half a cable’s length of the Squirrel, and received one shot more from the battery, which went close under the Squirrel’s stern. They threatened to sink us, if we did not immediately weigh and run into the harbor again; but upon the Squirrel’s getting a spring upon the cable and bringing her broadside to bear upon the battery, they left off.

“ ‘At eleven, next morning, they set Mr. Doyle at liberty.’

“THOMAS HILL”.

Upon receipt by the English government of Admiral Colvill’s letter, transmitting the reports of Lieutenant Hill and Captain Smith, officers commanding the king’s ships, St. John and Squirrel, the matter was laid before the king in council. The proceedings were soon communicated by Secretary Sharpe to the Colony, as follows:

“At the Court of St. James’s, the 19th day of March, 1765. Present, the King’s Most Excellent Majesty in Council.

“Whereas, there was this day read at the Board a report from the Right Honorable the Lords of the Committee of Council for Plantation Affairs, dated the 15th of this instant, upon considering several papers relative to the riotous behavior of the inhabitants of Rhode Island, in opposition to Lieutenant Hill, commanding officer of the schooner St. John, and acting as a Custom house officer, to prevent smuggling and carrying on an illicit trade in those parts;

“His Majesty taking the said report into consideration, is pleased, with the advice of his Privy Council, to approve of what was therein proposed, and doth hereby order, that copies of the said papers (which are hereunto annexed), be transmitted to the Governor and Company of the Colony of Rhode Island and Providence Plantations; who are to return to His Majesty, at this Board, with all possible dispatch, an exact and punctual account of the whole proceeding, authenticated in the best manner, the nature of the case will admit of, together with the names and descriptions of the offenders, and what means were used at the time of the tumult, by the Government and Magistracy of that Colony, for the suppression thereof, and the protection of His Majesty’s vessels and their crews; particularly, whether anything, and what, was done, by the Government of the said Colony, when the populace possessed themselves of the battery, upon Goat Island; and what measures have been since taken, to discover and bring to justice the offenders.

W. SHARPE.”

“Extract from letter from the Right Honorable Lord Colvill, Commander-in-Chief of His Majesty’s ships and vessels in North America, to Mr. Stevens, dated on board His Majesty’s ship, the Romney, 24 August, 1764.

“In my letter of 26th July, I enclosed you the account which I received from Lieutenant Hill, Commander in Chief of the St. John, schooner, of the treatment he met with from the people of Newport, Rhode Island; since which, I have had a letter from Captain Smith, of

the Squirrel, relative to the same affair, an extract of which I now enclose, together with his Lieutenant's account of the transaction.

“ ‘Copy of an extract of a letter from Captain Smith, to Lord Colvill, dated Squirrel, Rhode Island, 1th July, 1764.

“ ‘On Monday last, I was ashore, and on my return, received the enclosed account, from my Lieutenant, of a most insolent and ignorant abuse of the power in the Government of this place, on which I immediately sent on shore for the Gunner of the fort, to know his authority for firing on the King's colors. He produced an Order for stopping that vessel, signed by two of the Council, the Deputy Governor being absent at that time.

“ ‘I, in company with my Lieutenant, waited on the Governor and Council to demand a proper acknowledgement of the insult they had committed, in order to inform Your Lordship of it; I found them a set of very ignorant Council.

“ ‘They agreed that the Gunner had acted by authority, and that they would answer for it, when they thought it necessary.

“ ‘It appears to me, that they were guided by the mob, whose intentions were to murder the Pilot and destroy the vessel. I am very sorry they ceased firing before we had convinced them of their error. But I hope it will, by Your Lordship's representation, be the means of a change of Government in this licentious republic.’

“ ‘The Lieutenant of the Squirrel's account of the above affair :

“ ‘In the afternoon, as I was walking the deck, I saw a gun fired from the St. John; soon after, her boat, with a petty officer, came on board, and told me that the mob had rescued the deserter, detained the Master, and wounded all the boat's crew; and that the gun fired, was for the boat to return on board; that the people from the town hailed the schooner, and desired them to send the Pilot on shore, or they would sacrifice the Master, and manned several boats to board them. I then ordered him to return on board, and to make a signal if they attempted anything further; likewise, to bring the schooner out, and anchor near us.

“ ‘Soon after, several gentlemen came on board, and said they came to represent the occasion of this disturbance, lest the officer of the schooner should have made a misrepresentation of the affair. They said there was a theft committed by three of the schooner's people; that they had one in possession, and wanted the other two, who were on board the schooner; that a peace-officer had went off, and they had refused him admittance; and they now imagined he would return with an armed force to gain admittance. I told the gentlemen the offenders should be sent ashore.

“ ‘The signal was then made by the schooner, pursuant to my former directions. I immediately sent a boat and a petty officer, to order her out of the harbor; on which the gentlemen told me they would fire on her from the fort. I then told the officer, if they fired



from the fort, to go on shore to the fort, and let them know it was my orders for her to move and anchor near us; and then the men should be delivered to justice; and if he fired again, I should be obliged to return it. They continued their fire. I then ordered a spring on our cable, and went ashore, to the fort, to let them know the consequence of their behavior. I found no other officer than the Gunner, governed by a tumultuous mob, who said they had orders to fire, and they would fire. They used me with great insolence, and knocked me down, and would have detained me. I then returned to the boat, ordered the ship to prepare for action, and proceeded on board the schooner, and brought her to anchor near the ship; they then ceased firing.

“‘I then went on shore, to demand justice of the Deputy-governor for the treatment I had received at the fort. He replied I must pursue the law. I told him I would redress myself, if there were to be found, as he seemed not active to do me justice. I then returned to take the people off who had insulted me, but could not find them’.

“The account from which the above is copied, appears to be in Captain Smith’s hand-writing, but not signed by Lieutenant Hugh Bachie, of the Squirrel, as I imagine, from forgetfulness.

“COLVILL.”

In June, 1765, Daniel Jenckes presented a petition to the Assembly representing that he, with Nathan Angell, Nicholas and Daniel Tillinghast, and John Jenckes, were owners of the sloop Kinnicut and her cargo, which was taken by a Spanish privateer belonging to the Island of Trinidad, since the cessation of hostilities between Great Britain and Spain, and carried to Trinidad and there condemned as a lawful prize; that they had made application to the courts of Great Britain and Spain for restitution of their property and had received an order from the king of Spain, directed to the governor of Trinidad, commanding him to make full satisfaction for the vessel and cargo, without any deduction. The owners of the vessel now desired the governor to grant them such a commission as would enable them to send to Trinidad and demand satisfaction for their property. This petition was readily granted, and the governor was empowered to commission a vessel with such persons as the owners deemed necessary to enable them to proceed with safety to Trinidad, in order to demand restitution of their property and satisfaction for their losses.

It would appear that the colonists had met with other losses of a similar nature, as the governor was requested by the Assembly to issue a proclamation desiring all persons in the Colony who had “sustained damage at or upon the islands of the West Indies, called the ‘Turk’s Island,’ ” to bring in their respective accounts of the same, in order that they might be transmitted to Jamaica for relief.

Another affair growing out of privateering was brought to the attention of the colonial government in a letter from the Earl of

Halifax to the governor. The writer transmitted a letter from Guerchy, the French ambassador in London, wherein he charged that a French ship, the *Claude Marie*, which sailed from the Island of Martinique on November 10, 1741 (twenty-four years before), bound for the coast of Spain, was attacked and taken by a privateer belonging to Rhode Island, the captain of which, he asserted, "used all kinds of violence to oblige him to declare that his vessel belonged to the Spaniards, with whom England was then at war". The vessel was



MODEL OF THE UNITED STATES FRIGATE WASHINGTON.

Formerly owned by the Providence Marine Association and now in the Cabinet of the Rhode Island Historical Society.

then taken to Charleston, South Carolina, where she was condemned, or, as the ambassador writes, "the cargo was stolen". The owner having learned that the privateer was from Rhode Island, proceeded there and laid a complaint before the Governor and Council, who, after long discussion, "awarded him the expense and damage which he demanded", and offered to prove by his papers. On account of the opening of the war between Great Britain and France before he received his award, the matter had remained unadjusted until this

time. Such was the statement made by the French minister through the Earl of Halifax. His lordship now requested Governor Ward "to make immediate inquiry into the circumstance alleged in His Excellency's letter and transmit to him the fullest information thereupon; also to give the agents of Sieur Maginel, the vessel's owner, every facility in his power towards obtaining the justice which, upon inquiry and examination, might appear due to them".

The following is an extract from Governor Ward's dispatch of November 6, in reference to this matter:

"I had the honor of His Majesty's commands of the 8th of July last, transmitted to me by the Right Honorable the Earl of Halifax, directing the Governor and Company of this Colony to make immediate inquiry into the circumstances of an affair in which the Sieur Maginel, of Dunkirk, was concerned, as alleged in a letter from His Excellency, the French Ambassador, a copy of which I received with My Lord Halifax's letter, in obedience to which, a Committee was appointed by the Government, to examine into that affair; who reported that they have carefully and diligently searched the records of the several Courts of Admiralty, and can find not the least account of the matters mentioned in His Excellency's letter. But I shall immediately order further inquiry to be made, and shall immediately transmit to Your Excellency an account of what I may discover in this matter; and upon application of the agents or representatives of the Sieur Maginel, shall give them every facility in my power for their obtaining that justice which, upon inquiry, shall appear to be due them.

"I have the honor to be,

"With great truth and regard, Sir, etc.,

"SAM. WARD.

"To the Right Honorable Henry Seymour Conway."

In the year 1765, his majesty's ship, the Maidstone, being stationed at Newport for the protection of the revenue, her officers gave great offense to the colonists, and particularly those whose avocations required them to go upon the water, by stopping and overhauling every vessel that entered or departed from the harbor. Even the fishing and wood-boats were stopped and seamen taken from them. To such an extent was this carried that the people of Newport would bear it no longer. On an occasion when the boat belonging to the Maidstone came ashore, she was seized by a mob, dragged through the streets to the Common and there publicly burned. At this time several of the inhabitants were impressed or detained upon the Maidstone, for whose release Governor Ward made application, through the high sheriff, to the commander, Captain Antrobus. This officer was not on board when the sheriff visited the ship and the lieutenant in command refused to deliver up the men. In his letter referred to the governor says that the burning of the Maidstone's boat gave him

great uneasiness, and that he should use his "utmost endeavors to prevent any such violent and scandalous measures from taking place in the future, as well as to bring all who have lately behaved in that illegal manner to condign punishment". He further promised his protection to the officers and men of the *Maidstone* whenever they came on shore, "they behaving themselves peaceably, and conforming to the laws of the Colony".

Prominent in Rhode Island history at this time were the events growing out of the passage of the famous Stamp Act, but as they do not appertain to naval affairs, they need not be treated here. It may, however, be remarked that the bold and open resistance of the Colony to that measure, and the riots which grew out of its enforcement, led to the sending of more armed vessels into the waters of Narragansett Bay. The *Cygnets*, Captain Leslie, lay at Newport at the time and furnished protection to John Robinson, the collector, John Nichol, comptroller, and Nicholas Lechmere, searcher, who had been compelled to close the custom house and flee for their lives. From the *Cygnets* they addressed a letter to Governor Ward, calling for protection, without which they could not reopen the custom house. In the governor's absence this letter was answered by Gideon Wanton, jr., who states "that the fury of the populace hath entirely subsided, and the minds of the people quieted; so that there is not the least danger or apprehension of any further riotous proceedings". He advises them to return and attend to their business, promising them all the protection in his power. Their absence, he adds, "has put an entire stop to the trade and commerce of the Colony, which will be attended with the most pernicious consequences". This counsel was reiterated by Governor Ward upon his return.

Another grievance of the Newport people was that a prize vessel brought to that port, laden with molasses, had been taken and held by the British ship *Cygnets*, awaiting the determining of the prosecution against her at Halifax, instead of submitting her case to a Vice-Admiralty Court in Rhode Island. It had been learned by the custom officers detained on the *Cygnets* that a mob in Newport, headed by Samuel Crandall, demanded the release of the prize sloop, together with several scows which had also been seized, and that Crandall further demanded that the officers of the customs should receive their fees as settled by an act of the General Assembly, in defiance of the act lately passed by Parliament. In reply to the governor, Mr. Robinson and his associates stated "the infamous terms presumptuously proposed by Crandall", and said that they "cannot attend to the exercise of their respective functions, whatever inconvenience it may be to the trade", until he has appointed a guard to the custom house and supports them in the execution of their duty. They then call upon him to arrest the offender that he might be punished as the

law directs. Governor Ward replied, informing Collector Robinson that he had seen Mr. Crandall, who assured him that he had not the least intention of raising a disturbance or riot; but that Mr. Robinson "had personally used him ill, and that he shall insist upon proper satisfaction". The governor again urged the collector and his officers to return to their duties, as the town was suffering greatly from the closing of the custom house.

On the same day that the governor wrote the above to Collector Robinson he received the following from Captain Leslie of the *Cygnets*:

"SIR:—As I find you are arrived in town, I think it necessary to acquaint you there have been several reports brought to me of the mob having frequently threatened the taking forcibly away the sloop which is now under protection of the *Cygnets*; and I have great reason to believe the truth of such report, from a demand having been made of the same, by one Crandall, who, I am informed, is a principal person in the mob, as part of the conditions of the Collector's coming on shore and remaining in safety; and that their plan is to be thus:

"To man and arm a number of boats or vessels, and possess themselves of the fort; and, in case they find a resistance on my part, when such boats or vessels are endeavoring to take away the said sloop (which will certainly be the case, when we discover any such attempts being made), that then the guns at the fort are to be fired at His Majesty's ship under my command.

"This, I own, appears very surprising; but from the repetition of the report, and what happened, last year, to His Majesty's schooner *St. John*, I must own I think the madness of the mob may carry them to such length, without the interposition of the Government authority.

"Should their frenzy bring them to such a height, I am determined to return it, immediately, from His Majesty's ship, without sending to the fort to know any reason or ask any questions. The Government will reflect what consequences may arise not only from the damage the town may receive from the shot which may pass over the fort into it; but what may hereafter happen on such an enormous thing being committed in a British Colony. Thus far, Sir, I think is the duty I owe His Majesty's service, to make you acquainted with.

"I am, Sir, &c., &c.,

CHARLES LESLIE.

"Dated on board the *Cygnets*, Rhode Island harbor, Sunday, Sep'r 1st, 1765.

"To Samuel Ward, Esq."

In reply to this letter Governor Ward wrote as follows:

"NEWPORT, 2d September, 1765.

"SIR:—I am now to acknowledge the receipt of your letter of yesterday; though I must confess I am much at a loss what answer to make to it.

"The reports carried on board the *Cygnets* are so idle, and the plans said to be formed for obtaining the sloop so chimerical, that

nothing but the regard due to you, induces me to take the least notice of them; and you may depend upon it, Sir, that there is not the least foundation for them.

“Should any person be so weak or wicked as to attempt the taking His Majesty’s fort into their possession, I shall take proper measures to prevent it, and to bring the offenders to justice; and the duty I owe my Sovereign will induce me, at all times, to use my utmost endeavors to prevent any differences from arising between the inhabitants of this Colony and any officers or men of His Majesty’s ships, under your command, on this station.

“I am, Sir, etc., etc.,  
“To Charles Leslie, Esq.”.

S. WARD.

To this Captain Leslie replied thus:

“SIR:—I have yours, acknowledging the receipt of my letter, in which you declare yourself at a loss what answer to make me; and that the reports carried on board the *Cygnet* are so idle, and the plan ‘said to be formed for obtaining the sloop so chimerical, that nothing but the regard you please to express for me, would induce you to take any notice of it;’ and assuring me, ‘that there is not the least foundation for the whole, and that you will take all proper measures in respect to any attempt on the fort.’

“In answer to all which, I must acquaint you that idle as you may look on these reports to be, they are well founded, and were frequently repeated by some of the principal people in the town, to me; and, whenever it becomes necessary, it can be proved, notwithstanding the contempt and disbelief with which your answer treats my letter; for I cannot look on it in any other light; and as to whether you had taken any notice of it or not, it would have given me no pain. I thought it incumbent on me to make you acquainted with such circumstances which induced me to do it.

“I am, Sir, etc., etc.,

CHARLES LESLIE.

“*Cygnet*, Rhode Island harbor, Sept. 2d, 1765.

“To Samuel Ward, Esq.”

A determination to resist the law and the authorities of the government was apparent in Providence as well as in Newport. The high duties were one grievance; the transfer of cases of prize vessels to the Admiralty Courts of other Colonies was another. Indeed, if an opinion is to be formed from the results of cases in the courts of the Colony where the government was the prosecutor, it is not surprising that they were taken elsewhere. Trials were postponed when it suited the defendants, or were called at so short a notice that witnesses could not be procured. The government could scarcely find proof sufficient to convict parties charged with smuggling; and every obstacle seems to have been placed in the way of the government. A complaint was made by the collector and comptroller of the customs



to his majesty's government, dated June, 1765. The Lords Commissioners of the Treasury, after considering it, caused a copy to be transmitted to the governor of Rhode Island, requesting him "immediately to make the most strict and diligent inquiry into the matter complained of in the letter", and inform them the state of the facts therein mentioned, that their lordships might be thoroughly acquainted with the circumstances of this affair and be enabled to take such measures as might prevent the like proceedings in future.

Four years later in July another conflict occurred in the waters of the harbor of Newport.

Among the British ships cruising in the waters of New England in search of smugglers and to enforce the revenue laws was the sloop *Liberty*, Capt. William Reid.

In the course of his cruise in Long Island Sound Captain Reid picked up two Connecticut vessels, a brig and a sloop, and brought them into Newport Harbor and charged their commanders with being smugglers. The captain of the *Liberty* had incurred the enmity of nearly every ship captain within the district he patrolled by his high-headed methods of dealing with the regular coasting vessels which plied the Narragansett Bay and the Sound, and this action in overhauling the brig enraged its captain to such an extent that he resented it with force in which he was badly worsted. In the evening after the ships were at anchor within the harbor of Newport, Captain Reid went ashore, and while standing upon the wharf was met by a large party of irritated and indignant citizens, who demanded that he order his men ashore to answer before some tribunal for his conduct.

While the *Liberty* was thus unprotected she was boarded by a party of Newport citizens; the chief officer who alone remained on the sloop was set ashore, and the cables cut, in consequence of which the sloop grounded.

After she had grounded they cut away her mast and scuttled her, took her small boats to the upper end of the town and destroyed them by fire. In the midst of this excitement the two Connecticut crafts made sail and escaped out of the harbor. "This", says Arnold, "was the first overt act of violence offered to the British authorities in America".

Three years later, on the night of July 9, 1772, was made the memorable attack upon the British armed sloop, *Gaspee*, near Namquit Point, by a number of men from Providence—an event conceived in audacity and executed with heroism. The vessel was boarded and set on fire and, before the following morning, burned to the water's edge. During the attack Lieutenant Duddingston, of the *Gaspee*, was wounded. The success of this exploit and its influence in opening the eyes of the British to the temper of Rhode Island men, led the govern-

ment authorities to make determined effort to apprehend those connected with it; but notwithstanding the large number of persons involved, their names were carefully kept secret, and to this day only a few of them are known.<sup>1</sup> In this act of armed opposition to British claim to the right to stop vessels in Narragansett Bay in the interest of foreign revenue was shed the first blood in that struggle for freedom from the yoke that was fast becoming unbearable.

Between the date of this event and the actual outbreak of the Revolution, the authorities of the Colony were actively engaged in military preparations. There was widespread anxiety and much alarm, not from fear for the ultimate success of the cause, but on account of the exposed situation of the Colony to land and water attack. In 1775 a British army was only a day's march to the northward, and British ships of war were cruising in Narragansett Bay. Here took place the first naval engagement of the war, on June 15, 1775, when a sloop belonging to Capt. Abraham Whipple, of Gaspee fame, attacked a tender of the British frigate *Rose*, chased her ashore on Conanicut Island and captured her.<sup>2</sup>

On the 20th of July, 1775, James Wallace, in command of the British fleet in Rhode Island, assembled his ships in line of battle before the town of Newport and threatened to open fire unless the authorities complied with his request for provisions, which they were forced to do. Alarm extended to Providence and defensive measures were promptly adopted; fortifications were erected on Fox Hill,<sup>3</sup> commanding the harbor, and a battery of heavy guns planted there. The only other fort in the Colony at that time was on Goat Island, in Newport harbor. On October 4, 1775, Esek Hopkins was commissioned brigadier-general in command of a force stationed for the protection of Newport, where the British fleet was making trouble for the inhabitants by its demands for supplies. The tact and good judgment of Hopkins averted actual conflict there for the time being. But the prevailing anxiety impelled many of the inhabitants of the town to leave the island, taking their property with them, and from that date the commercial importance of Newport began to wane.

Esek Hopkins's term of service as a military commander covered only two months and eighteen days, when he was appointed, and the appointment confirmed on December 21, 1775, commander-in-chief of a fleet of vessels that was to be provided for operations against the enemy. It was during his term of service in defense of Newport that a minor but brilliant naval event took place. A sloop laden with

<sup>1</sup>An extended account of this event will be found in another chapter.

<sup>2</sup>For a detailed account of this first naval action see Field's *Esek Hopkins*.

<sup>3</sup>A committee, constituted mainly of sea captains, was appointed to regulate the conduct of the Fox Point battery, and they prepared a set of rules which are quaintly entertaining. See the chapter on Wars and the Militia.



ESEK HOPKINS.

COMMANDER-IN-CHIEF OF THE AMERICAN NAVY DURING THE AMERICAN REVOLUTION, 1775-1778.

cargo arrived in Seaconnet River, in charge of Capt. Isaac Eslick, of Bristol, and was turned over to Hopkins. This was the conclusion of the event. Captain Eslick had been in command of a small trading sloop, which was captured by a British war vessel and a prize master and crew put aboard of her with orders to take her to Boston. Eslick was detained on the British sloop of war Viper. Not long after this the British sloop sighted and overhauled the sloop Polly, of New York, Capt. Samuel Barnew, bound for Antigua. A midshipman, as prize master, and several hands were put on board with orders to proceed to Boston. Eslick was also transferred to the Polly as pilot, under promise that if he faithfully piloted her into Boston harbor, his own boat and cargo should be returned to him. He soon established friendly relations with two of the original crew of the sloop and the three determined to outwit the prize master and take the vessel to Rhode Island. It was a bold project and had little apparent chance of success, as the British fleet was in Narragansett Bay and adjacent waters. Nevertheless, Eslick laid his course and with the aid of his two accomplices took the sloop safely into Seaconnet River. By this exploit Eslick lost all chance of obtaining the return of his own vessel and cargo, while saving the property of others; but the General Assembly soon afterward ordered the payment to Eslick of \$250, and \$50 to each of his two associates in the exploit.

When the Continental Congress confirmed the appointment of Esek Hopkins as commander-in-chief of the navy in December, 1775, the following naval officers were also appointed: Captains—Dudley Saltonstall, Abraham Whipple, Nicholas Biddle, and John Burroughs Hopkins. First lieutenants—John Paul Jones, Rhodes Arnold, — — — Stansbury, Hoysted Hacker, and Jonathan Pitcher. Second lieutenants—Benjamin Seabury, Joseph Olney, Elisha Warner, Thomas Weaver, and — — — McDougall. Third lieutenants—John Fanning, Ezekiel Burroughs, and Daniel Vaughan. Here were names that were destined to shine on the honor rolls of the country, and a number of them were of Rhode Island men. Early in January, 1776, Hopkins sailed for Philadelphia on the sloop Katy, afterwards the Providence of the Rhode Island navy, Capt. Abraham Whipple. On the voyage a small vessel and three prisoners were captured. On his arrival he found the fleet assembling in the Delaware River, eight vessels of varying tonnage having been selected from available merchantment and altered over to accommodate larger crews and pierced for heavy guns. The Black Prince was chosen for flag ship; she carried twenty-four guns and was placed under command of Capt. Dudley Saltonstall, and renamed the Alfred. The remainder of the fleet consisted of the Columbus, formerly the Sally; the Providence, before mentioned; the Andrea Doria, fourteen guns; the Cabot, fourteen guns, commanded

by the son of the commander-in-chief, John B. Hopkins; the Wasp, the Hornet, and the Fly, of eight and ten guns.

It was the intention of the Naval Committee of the Colonies that the fleet should proceed to the vicinity of Charleston, S. C., and co-operate with the land forces. The freezing of the Delaware River early in January prevented the sailing of the vessels at that time. While the eight vessels of the fleet lay among the ice floes in the river, the first flag hoisted over an American war vessel was flung to the wind on the Alfred. As Hopkins gained the deck of his flag ship, Capt. Dudley Saltonstall gave a signal, and First-Lieut. John Paul Jones hoisted a yellow silk flag bearing the motto, "Don't tread on me", with a representation of a rattlesnake. As this standard fluttered in the cold morning air, the crowds that had assembled along the water front cheered with enthusiasm and the guns of the fleet and the artillery ashore fired a salute. On the 10th of February, 1776, the fleet was ready to sail and was in rendezvous at Cape Henlopen, and on the 17th, a favorable wind having arisen, the vessels got under weigh and before nightfall had disappeared below the horizon.

There was another naval project of importance which had been discussed by the Naval Committee and in Congress, which was without doubt a part of the plans of the commander, although the orders must have been given to him secretly. This was the capture of a large supply of gunpowder and other war munitions known to be stored on the island of Abacco, in the Bahamas. Adverse winds and storms, and the fact that the British fleet had sought safety in various Atlantic ports, caused the admiral to make his way to the Bahamas and a warmer climate. The island of Abacco is the northerly one of the Bahama group and lies about thirteen leagues northward of the island of New Providence, the objective point of the expedition. The fleet arrived at Abacco on March 1, and when discovered by the garrisons in the forts, was welcomed with the sound of guns firing an alarm; but two hundred marines were landed in boats, with fifty sailors, the latter commanded by Lieutenant Thomas Weaver, of the Cabot, who was acquainted with the island. The boats anchored at a small key about three leagues to windward of the town of Nassau, whence Hopkins dispatched the marines with the Providence and the Wasp to cover their landing. The landing of the force was made on the 3d of March, and after a slight resistance the smaller fort, between Nassau and the place of landing, was invested, the garrison withdrawing to the larger fort. Learning that only about two hundred inhabitants of the town were in Fort Nassau, and being desirous of avoiding bloodshed, Hopkins issued a manifesto declaring his purpose of securing the munitions and promising safety to persons and property of the people if surrender was made without resistance. This was sufficient, and the next morning a messenger came from the governor

and informed Captain Nicholas that Fort Nassau was ready for his reception. The inhabitants withdrew from the fort, leaving only Governor Montford Brown, to whom an order was sent by Hopkins demanding the keys of the fortress; these were given up and the troops occupied the work and took possession of the stores. These were so great in quantity that Hopkins was compelled to impress a large sloop lying in the harbor, the Endeavor, to convey them home. While the stores were being shipped the Fly, which had disappeared in the storm on the second day out, joined the fleet. Her commander reported that she had got foul of the Hornet and carried away her boom and the head of her mast; in this disabled condition the Hornet made her way to the South Carolina waters. Hopkins sailed from the Bahamas on the 17th of March and turned over to the authorities munitions that were of the greatest value at that time. Moreover, on the return voyage the fleet captured the British schooner Hawk, with six guns and eight swivels, and the bomb brig Bolton, with eight guns and two howitzers, ten swivels and forty-eight men, and on the 6th of April fell in with the Glasgow, a heavily armed vessel of twenty guns and one hundred and fifty men. Then followed a sharp fight in which the Cabot and the Columbus of the fleet took the most active part. After several hours of fighting and manœuvring Captain Howe, of the Glasgow, escaped with his vessel and crowded on sail for Newport. For his conduct in this engagement and his success in escaping from the colonial fleet, Captain Howe was highly commended by his superiors and by English historians. On the other hand, Hopkins, Whipple, and other American officers in the fleet were censured for permitting the Glasgow to escape, thus opening a discussion which was to cause much trouble to the commander-in-chief.

Hopkins arrived in New London April 8 with his entire fleet, excepting the Hawk, one of his prizes. He prepared a full report of his voyage, which he sent to Congress, and the publication of a part of it was ordered so that the colonies might be informed of the value and prowess of the new navy. The news of the success of this voyage was received with delight throughout the colonies. In a letter of congratulation and instructions from John Hancock, president of the Congress, to Hopkins, dated April 17, he wrote: "Though it is to be regretted, that the Glasgow Man of War made her escape, yet as it was not thro' any Misconduct, the Praise due to you and the other officers is undoubtedly the same". Hopkins was the hero of the day. But in course of time, as knowledge of the escape of the Glasgow became more widely spread, and the circumstances surrounding that feature of the engagement were discussed by the people, all of the successful work of the commander was forgotten by the fickle public, and a feeling of bitter prejudice arose against him, which no argument could brush away. Moreover, Capt. Abraham Whipple, of the Colum-



bus, was severely criticised by some of his brother officers for his conduct in the fight, and demanded a court martial of Hopkins in a letter on the 30th of April. This was granted, and the court was held May 6, on board the *Alfred* at Providence, and the captain was promptly acquitted of the charge of misconduct.

Captain Hazard, of the *Providence*, was also a subject of court martial for misconduct during the fight with the *Glasgow*, resulting in his being relieved of his command, and the appointment of Lieut. John Paul Jones in his stead.

Arriving at New London, Hopkins proceeded to dispose of the material captured at the Bahamas. Some of the captured guns he left at New London, a number was sent to Dartmouth, Mass., and twenty-six were taken on the *Cabot* to Newport to be used in defense of the island. This latter action caused much criticism from the authorities in Philadelphia and was one of the contributing causes of the later troubles of the commander of the navy. Conditions on the fleet now became deplorable on account of sickness among the men, and as many as two hundred and two were sent from the several vessels to temporary hospitals in New London; but Hopkins was able, through the influence of General Washington, to replace them with one hundred and seventy men from the army, and on April 24 the fleet sailed for Rhode Island. Arriving before Providence on the 28th, Hopkins proceeded



ONE OF THE GUNS CAPTURED BY ESEK HOPKINS AT NEW PROVIDENCE.<sup>1</sup>

<sup>1</sup>This gun is located at the corner of Main and Centre streets in the town of Fairhaven, Mass., and is one of the guns captured by the expedition to New Providence under the command of Esek Hopkins. A bronze tablet has been fixed upon it bearing this inscription:

"Taken from the British at Nassau by Colonial Ship of War *Alfred*—Placed

to provision his ships and put them in condition for a cruise of three or four months. While thus engaged he received a peremptory order from Washington to send the men who had just been assigned to the navy to New York. This, with the fact that more than one hundred men of the fleet were sick and unfit for duty, rendered the situation of the fleet most discouraging. On the 12th of May the commander sent the Providence, Capt. John Paul Jones, to New York with the men received from the army. In addition to this he was ordered to send to Philadelphia twenty of the guns taken by him to Rhode Island. Trouble began also among the men of the fleet over the neglect or inability of the authorities to pay the wages of the crews. Under these circumstances only two vessels, the Doria and the Cabot, could be sufficiently manned to go into service, and they sailed on the 19th of May. The fleet as a whole was practically useless; the hands of the commander were tied. His letter to Congress at this time shows his discouragement: "I am ready to follow any Instructions that you give at all times, but am very much in doubt whether it will be in my power to keep the fleet together with any credit to myself or the officers that belong to it—Neither do I believe it can be done without power to dismiss such officers as I find slack in their duty".

Before the fleet arrived in Narragansett Bay from New London the British fleet under Wallace had withdrawn from Newport, and for the first time in many years the Rhode Island waters were free from British war vessels. At about the same time (May 14, 1776) Hopkins was summoned before the Marine Committee to answer to a charge of breach of orders. This was the beginning of a long series of troubles and disasters from which he never recovered.

Some of the causes operating to create public feeling against Hopkins, in addition to his share in the failure to capture the Glasgow, were his opposition to privateering, and his becoming more or less entangled with the petty jealousies among other officers of the fleet. In accordance with resolves of Congress, two ships for the fleet, the Providence and the Warren, were to be built at Providence, and work on them was carried on under direction of a committee of prominent Providence business men, while Hopkins was on the Bahama cruise. These ships were still unfinished when he returned, and he gave much attention to their completion, frequently attending the sittings of the committee. He became greatly exasperated to learn that some members of the committee were engaged in privateering ventures and were using their position and influence to further their private ends. Hopkins openly accused them of malpractice and claimed that the cost of

on Fort Phoenix 1778—Recaptured by British and left on the fort Spiked, and with trunnions knocked off—After-Wards, mounted in Union Street for village Defence.—Placed here 1883."

the two vessels was twice what it should have been, owing to "some of the very committee that built the ships, taking the workmen and the stock to fit out their own privateers". These were grave charges and at once lost Hopkins the friendship of many of the influential men of Providence, who abandoned the management of the work on the ships and turned them over to Stephen Hopkins, then a delegate to Congress. At this time the ships were ready for sea, but without crews. There was much jealousy among the officers of the fleet, and all were clamoring for advancement and using their influence to obtain it. So strong was this influence that Hopkins strove to avoid becoming entangled in its attendant controversies by overlooking certain irregularities, thus weakening himself in the estimation of both his friends and opponents. It was not until the 13th of June that Hopkins and Capts. Whipple and Saltonstall were ordered to Philadelphia to be tried for breach of orders, the command of the fleet devolving upon Capt. Nicholas Biddle, the ranking officer. He was without authority excepting on his own ship, and insubordination and confusion in the fleet was intensified in the absence of the three officers. Whipple and Saltonstall were exonerated by Congress on July 11, but it was not until the 12th of August that Hopkins appeared before Congress. The examination was made before the Marine Committee, as it was then called, whose report was read to him, after which he addressed the delegates in Congress in his own defense. The report and his answer were fully discussed, John Adams manfully taking up his defense. On August 16 Congress passed the following resolution:

"Resolved, That the said conduct of Commodore Hopkins deserves the censure of this house and this house does accordingly censure him".

On the 19th of August Congress directed Hopkins to "repair to Rhode Island and take command of the fleet formerly put under his care". It would appear that the committee were somewhat ashamed of their judgment in the matter, mild as it was, for on the 19th of August they ordered Hopkins to dispatch four of his vessels to cruise in the neighborhood of New Foundland and operate against the fisheries and British merchantmen. At the same time he was authorized to purchase the Hawk, one of the vessels captured by him on his way from the Bahamas, fit it up and rename it the Hopkins, and send it with the others to New Foundland, and to "hoist his broad pennant on board any of the vessels". Among the prominent officers who looked upon the action of the Marine Committee as almost a vindication of the commodore was Capt. John Paul Jones, who wrote him a very flattering letter of confidence and esteem. On account of lack of available seamen, the vessels were not sent to New Foundland, Hopkins finding it difficult to get the men on account of the fitting out

of so many privateers, which offered greater inducements than the regular service. The failure of this expedition provoked much criticism from the committee, and on the 10th of October they addressed Hopkins a letter, ordering him to take the Alfred, the Columbus, the Cabot, and the Hampden and proceed to Cape Fear, where he would find the Falcon, the Scorpion, and the Cruiser, with a number of valuable prizes under their protection, "the whole of which you will make prize of with ease". This letter arrived during the absence of Hopkins, but it was opened by his son, Capt. John B. Hopkins, who sent it to his father by special messenger. This expedition also failed to start and from the same causes; so far as now appears, the commander was powerless to act in compliance with his orders. For this failure prejudices and criticism against him were greatly intensified. In the hope of carrying out the orders of the Marine Committee, Hopkins appeared before the Rhode Island General Assembly, then in session at Kingstown, and "applied for an embargo till the Continental fleet was manned". But he failed in obtaining the passage of the required act for lack of two votes only. He was in despair, and that his difficulty was a real one is shown by the following from his letter on the subject to the Marine Committee:

"I am at a loss how we shall get the ships manned as I think near one-third of the men which have been ship'd and rec'd their monthly pay have been one way or another carried away in the privateers I wish I had your orders when Ever I found any man on board the privateers giving me leave not only to take him out But all the rest of the men; that might make them more Careful of taking the men out of the service of the State".

So time dragged on, one disaster after another coming to cast odium on the little navy in the success of which Rhode Island had so deep and large an interest. Finally, on December 7, 1776, a British fleet of about seventy sail came into Narragansett Bay, passed around the north end of Conanicut Island and into Newport harbor. On the next day a force of about six thousand men landed and took possession of the town. The American fleet was completely blockaded. Excitement throughout the Colony was intense. On the 10th of December Hopkins wrote from his flagship, the Warren, lying five miles below Providence, as follows:

"Three days ago the English fleet, of about fifty-four sail of transports and sixteen sail men of war arrived in the bay and two days ago they landed, I believe, about 4000 troops, and took possession of the island of Rhode Island without opposition. The inhabitants of the town of Newport favored their operation, I believe, too much. The Militia are come in, in order to prevent the further operations. I thought it best to come up the river after the fleet was within about

two leagues of us, with the Warren, Providence, Columbus, brigantine Hampden, and sloop Providence. The inhabitants are in daily expectation of an attack on the town of Providence. I have got the ships in the best position of defence we can make them, without they were fully manned, which they are not more than half. We lay where the ships cant come up that draw much more water than we do. If we get the ships manned, shall take some favourable opportunity and attempt getting to sea with some of the ships; but at present think we are of more service here than at sea without we were manned''.

The situation of Rhode Island was now alarming. The State troops were all called into service, and the fortifications which had been thrown up along the bay side were hurriedly manned; the whole State became a vast camp confronting the enemy. For nearly three years the British remained in possession of the town of Newport and the adjacent territory.

Not long afterwards an incident took place which reflected upon Hopkins and was used against him in later proceedings. On January 2, 1777, a British vessel was seen to have grounded on one of the islands opposite the Warwick shore; near here a battery of two eighteen-pound guns had been erected and a garrison established. The news was conveyed to Hopkins and he attempted to go down the river to investigate. As he was advised by a reputable pilot that the wind was so far westerly and blew so hard that he could not take his ships down, he boarded the pinnacle of the Warren with twenty-two men, and went to the Providence, which lay about a mile below Field's Point, taking the pilot with him. The Providence, Captain Whipple, was fully manned and was at once got under weigh and proceeded down towards the stranded vessel. She was found to be the frigate Diamond. About a mile and a half distant, southwest by south, lay a fifty-gun ship, which could have been floated in the existing wind to the vicinity of the Diamond. Hopkins did not attempt to take his ships down to the stranded vessel, as "the Enemy's ships could have come to sail with any wind that we could and a great deal better as they lay in a wide channel and we in a very narrow and very crooked one". After going ashore at the fort, Hopkins returned to his sloop and thus describes his further movements:

"We dropped down under the ships stern a little more than a musket shot off it being then a little after sunset, we fired from the sloop a number of shot which she returned from her stern chasers; the ship carened at Dusk about as much as she would have done had she been under sail, after they had fired from the shore about twenty six shots they ceased and soon after hailed the sloop and said they wanted to speak with me. I went ashore and was informed they were out of Ammunition. I offered them powder and stuff for wads but we had no shot that would do, they sent to Providence for powder and

shot and I went aboard the sloop and sent some junk ashore for wada, soon after they hailed again from the shore and I went to see what they wanted, and gave Captain Whipple orders not to fire much more as I thought it would do but little execution it being night and could not take good aim with the guns. When I got ashore the officer that commanded them desired that I would let them have some bread out of the sloop which I sent the boat off for but the people not making the boat well fast while they were getting the bread she drifted away and I could not get aboard again. The ship by Lighting got off about 2 o'clock the same night''.

Although this event was not considered of much importance in any light by Hopkins, or by the inhabitants of Providence, it was made much of by many persons in the State and by the Marine Committee and constituted another factor in closing the career of Esek Hopkins. During the early part of that winter the Alfred and the Cabot got to sea and succeeded in sailing around to Boston, whence they cruised independently. About this time Hopkins wrote to William Ellery, then a delegate to Congress from Rhode Island:

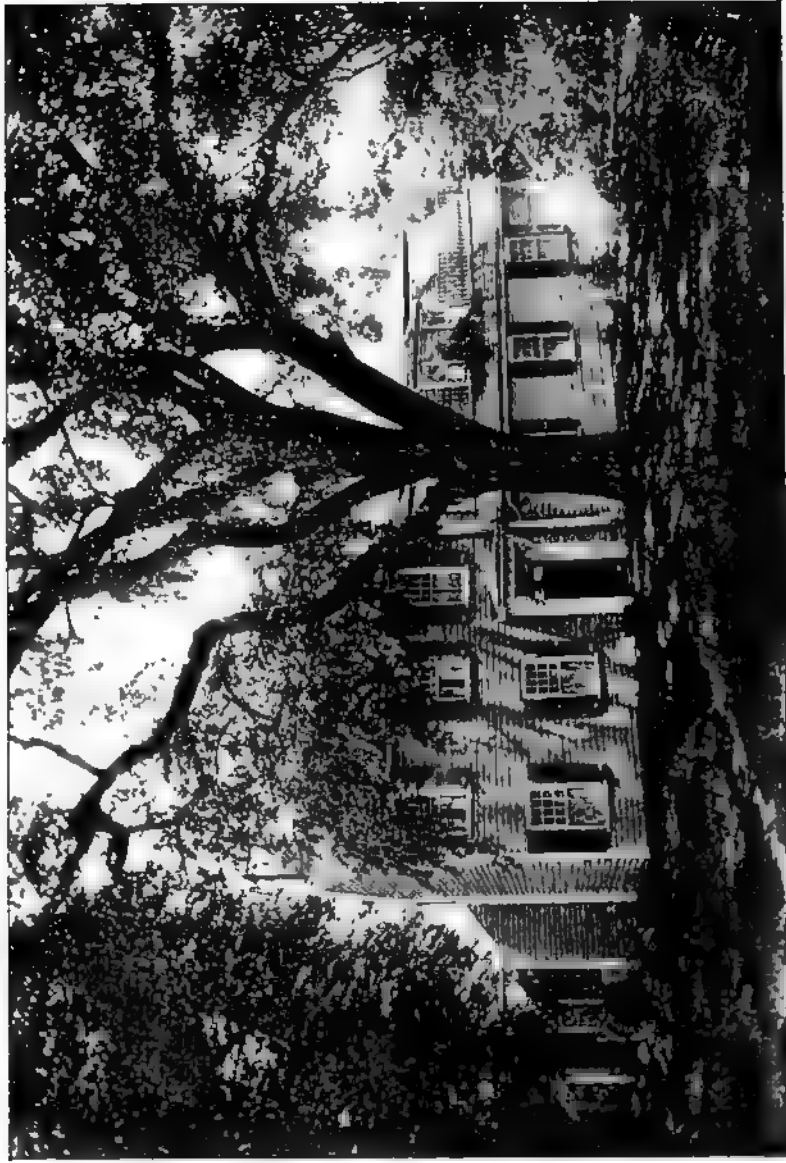
“We are now blocked up by the enemys fleet the officers and men are uneasy. however I shall not desert the cause but I wish with all my heart the Hon Marine Board could and would get a man in my room that would do the Country more good than it is in my power to do, for I entered the service for its good and have no desire to keep in it to the disadvantage of the cause I am in”.

The fleet never again got to sea. While individual ships performed service of great value and importance and some of their officers won lasting renown, the naval squadron which sailed proudly from Delaware Bay nearly a year before, practically ended its life in Narragansett Bay. No record is preserved of the fate of the Columbus, Hornet, and Fly. The Alfred was captured by the Ariadne and Ceres in 1778. The Cabot was driven ashore on the coast of Nova Scotia by the Milford in 1777 and abandoned; she was afterwards hauled off and taken into the British navy. The Andrea Doria was burned in the Delaware in 1777 to prevent her falling into the hands of the enemy. The Providence (sloop) was captured in the Penobscot in 1779. The Wasp is supposed to have been sunk in the Delaware to prevent capture by the enemy. The Providence (ship) was captured in Charleston in 1780, and the Warren was burned in the Penobscot in 1779.<sup>1</sup>

Hopkins remained under suspension until January 2, 1778, when he was dismissed from the service of the United States. Notwithstanding his dismissal from the command of the navy, he continued to merit and receive the confidence of his townsmen in North Providence and represented them in the General Assembly from 1777 to 1786. In 1782 he was elected one of the trustees of Rhode Island College (later

<sup>1</sup>*Naval Hist., U. S.*, Cooper, vol. 1, p. 247.





HOPKINS HOUSE, SITUATED ON ADMIRAL STREET, PROVIDENCE.

HERE LIVED ESEK HOPKINS, COMMANDER-IN-CHIEF OF THE AMERICAN NAVY DURING THE REVOLUTIONARY WAR.

Brown University), which position he held at the time of his death. On the 26th of February, 1802, after severe suffering towards the end, he passed away.

There is little to add to the story of Rhode Island's connection with the navy during the Revolution. In May, 1778, when it became necessary to send dispatches to France, the ship *Providence* (built at Providence, as before stated), Capt. Abraham Whipple, sailed out of Narragansett Bay on a dark and stormy night, evading the British men-of-war, and got safely to sea, passing the southern end of Prudence Island, where a British ship lay, and fired a broadside into her, and then kept on his course. The voyage to France was made and the *Providence* returned to Boston. The other vessel built at Providence, the *Warren*, went out to sea before the *Providence*, and in 1779 was engaged in the Penobscot expedition and was burned. Both of these vessels were officered and manned chiefly by Rhode Island men.

In addition to the Rhode Island vessels mentioned, there were ordered in August, 1775, two large row-gallies for sixty men each; these were built and named the *Washington* and the *Spitfire*. The former was afterwards given a schooner rig. She was commanded by Capt. Joseph Mauran, while Capt. Isaac Tyler was assigned to the *Spitfire*. The *Washington* was destroyed by the enemy as shown in the following:

“In Council of War, July 15th, 1777.

“The galley *Washington* being destroyed by the enemy, in their late excursion to Warren, whereby Capt. Joseph Mauran who had the command of her, it put out of business, and the state having no armed vessel to put in pay for the present; it is therefore resolved that the said Joseph Mauran, be dismissed from the service of this state; and he is hereby recommended as a good and faithful sea officer, to all the friends of the United American States. Signed by order of the Council of War,

“WM. CODDINGTON, Clerk.”

The arrival of the French fleet in 1778 and the planning of Sullivan's expedition which was to co-operate with the fleet in an attack upon the British in Newport and the bay, raised confident expectations through New England; but these were destined to fail of realization, for the fleet was broken up in the great storm of that season and departed in a disabled condition for Boston. Newport was finally evacuated by the enemy on the 27th of October, 1779, and the inhabitants returned and began rebuilding their shattered fortunes. On July 10, 1780, another French fleet arrived in Newport harbor, gladdening every heart in Rhode Island; it consisted of forty-four sail, with an army of six thousand men, under Count de Rochambeau, and the town was protected from further devastation. The principal events of the closing years of the Revolution took place on land.

<sup>1</sup>*Spirit of '76 in Rhode Island*, Cowell, p. 158.

It will have been inferred from the preceding pages relating to the career of Esek Hopkins, that privateering was rampant during a large part of the Revolutionary period; and Rhode Island, true to her well known instincts and interests, sent out her bold and active craft by the score to prey upon the enemy. Prizes and rich cargoes came in to enrich the inhabitants, and it is to the discredit of the State that many of the influential men more diligently strove to bring fortunes to themselves by engaging in this privateering business than they did to aid the government at a time when the country needed unselfish patriotism. There is a striking contrast between the acts of such men of Rhode Island and those of other men in other colonies at this crisis.

The naval operations in the war of 1812-15 were entirely without the State, but one of the officers of the United States navy from Rhode Island obtained a victory on the water of such a bold, hazardous and successful character as to give him imperishable fame and add lustre to the history of the State.

When the political horizon began again to darken and British encroachments upon the rights of American vessels were becoming frequent and insolent, Providence had entered upon an era of prosperity and Newport was beginning to recover from her prostration caused by the Revolution. Again the defenseless situation of this town excited grave alarm, and the authorities sent a memorial to the general government calling attention to their need of protection. Not long after war was declared a British fleet was stationed a short distance below the island, and on one occasion made a demonstration indicating a determination to enter the harbor. The local military was mustered and defensive preparations made, but the vessels finally stood off to their station. The neighboring farmers were compelled to supply the enemy with provisions and the fishing boats to sell them their fish, keeping the inhabitants in a state of anxiety and alarm.

After the close of the Revolution the navy was long neglected; but when trouble arose over the Algerian situation Congress appropriated, at Washington's suggestion, the sum of \$700,000 and a small navy was begun. With the early settlement of those difficulties, work was suspended in 1795. The folly of this course was soon to be demonstrated by the conduct of the old enemy, and the construction of war vessels was renewed. Before the close of 1797 the Constitution, forty-four guns, the Constellation, thirty-eight guns, and the United States, forty-four guns, were ready for sea.

Early in this war it was seen that supremacy on Lakes Ontario and Erie would be an important factor in the struggle. There were a number of merchant vessels on the lakes, the purchase of which by the government and their armament was undertaken. To prevent this and capture these craft the enemy began active operations. On the 12th of August, 1812, Isaac Chauncey, an experienced seaman, was

commissioned commander-in-chief on the lakes, and under his direction a squadron of six schooners was gathered at Sackett's Harbor. There were also two already in service and the Madison, twenty-four guns, was built at that place. On the 6th of December of that year the British man-of-war Macedonian, which had been captured after a bloody engagement by the frigate United States under Capt. Stephen Decatur, was brought into Newport harbor and the wounded landed at Coaster's Harbor and placed in hospital. The other vessels of the American navy began and continued a series of brilliant exploits on the sea, the success of which caused consternation to the enemy and exultation throughout this country.

Early in 1813 Oliver Hazard Perry,<sup>1</sup> a young officer of Newport, then in command of a flotilla of gunboats, was called to command a fleet on Lake Erie, which at that time had no existence. Taking with him a number of ship carpenters, he proceeded to Presque Isle (now Erie), where he built and gathered a fleet of nine small vessels. Besides himself Perry had with him eight officers and eleven petty officers and seamen from Newport. Perry met Chauncey at Albany, N. Y., and together they went in a sleigh through the wilderness to Sackett's Harbor. Perry arrived at Presque Isle in March, and with all possible dispatch built four vessels and five others were taken from Black Rock, near Buffalo, where they had been altered from merchantmen. Early in May the three smaller vessels were launched, and on the 24th

<sup>1</sup>Commodore Oliver Hazard Perry was born August 23, 1785. The house now standing upon the site of the old manor house was built by Com. Perry after the battle of Lake Erie, of which a photograph is here given. At that time the homestead was sadly out of repair, and it was taken down and replaced by the present gambrel roofed house which was intended to be occupied by "any of the family who should come there for hunting or fishing." Much of the lumber of the old house was used in the present structure and in repairing the old barn near the house. The estate is now owned by Mrs. George Tiffany of New York, a niece of Commodore Perry.

Oliver Hazard Perry was a son of Christopher Raymond and Sarah Alexander Perry. In the paternal line his first ancestor in this country was Edward Perry, a Quaker preacher, who came from Devonshire, England, and settled in Sandwich, Massachusetts. After his death his children came to Rhode Island. Two sons, Samuel and Benjamin, settled in South Kingstown, and Oliver was a descendant of Benjamin. His mother, Sarah Wallace Alexander, was a direct descendant of Sir William Wallace, the Scottish patriot. It is a fact not widely known perhaps that Rhode Island's famous Revolutionary soldier, General Nathaniel Greene, was also a descendant of Edward Perry.

Dr. Turner is quoted as saying: "It is remarkable that the two names which confer so much lustre on Rhode Island, one in the military, the other in the naval service, should have derived a direct strain of descent from the same source, and *that* the peaceful and peace-loving Quaker, Edward Perry." As a child Oliver Hazard Perry was very delicate in health and gave no promise of a vigorous manhood. In this sense the saying that "the child is father of the man" was not verified, for strength came with his years and "he was a fair type of manhood, possessing an uncommon share of vigor" and manhood. After attending the best schools in Newport during his childhood,



OLIVER HAZARD PERRY, COMMODORE U. S. NAVY.

THE SWORD IS INSCRIBED "PRESENTED TO OLIVER H. PERRY, ESQ., BY THE  
COMMON COUNCIL OF ALBANY, NOV. 8, 1818." REPRODUCED FROM THE ORIGINAL  
IN THE POSSESSION OF THE RHODE ISLAND HISTORICAL SOCIETY.

of that month two brigs were floated. The whole fleet was finished the 24th of July and consisted of the brig Lawrence (the flag ship), twenty guns; brig Niagara, twenty guns; brig Caledonia, three guns; schooner Ariel, four guns; schooner Scorpion, two guns and two swivels; sloop Trippe, one gun; schooner Tigress, one gun; schooner Porcupine, one gun. A British squadron on the lake menaced this little fleet, and Perry found great difficulty in getting men and supplies for his vessels. "Think of my situation", he wrote Chauncey, "the enemy in sight, the vessels under my command more than sufficient and ready to make sail, and yet obliged to bite my fingers with vexation for want of men". He was soon partially gratified by the arrival from Black Rock of one hundred men under Captain Elliott, and early in August he went out on the lake before he was fairly prepared for vigorous action. On the 19th he met Harrison on his flagship and arrangements were made for the fall campaign. On a bright morning, September 10, while cruising about the lake, a sail was cried from the mast head of the Lawrence, and the British fleet appeared on the horizon. The opposing forces were not far from equal and the battle began at noon at long range. As the two fleets came nearer and nearer the firing waxed hotter, and for nearly two

he began his naval career as midshipman on board the General Green, which was commanded by his father, Captain Christopher R. Perry. "This training was of great usefulness to him, as it afforded valuable object lessons in naval tactics. His father, Captain Perry, began a soldier's life in the War of the Revolution, and was well prepared to instruct his son in the arts of war. An occasional encounter with British ships while cruising in the West India station, disclosed his promptness and bravery, which were not lost upon the son." In 1801 a small squadron was ordered to the Mediterranean to protect our commerce from the Tripolitan Corsairs, and O. H. Perry was attached to the Adams frigate, one of three, commanded by Captain Campbell. There were many encounters with the pirates, in which the Americans gained many victories. This war lasted until 1805. During this time young Perry improved so much, that he was promoted to an acting lieutenancy. We next find Lieutenant Perry in command of a flotilla of seventeen gunboats on the Newport Station, to enforce the law of Congress, passed in 1807, establishing an embargo as the only means calculated to save our commerce from seizure by the British and French vessels. Perry remained at Newport until he was appointed to the command of the U. S. schooner "Revenge"—attached to the squadron of his uncle, Commodore Rogers, at New London. The embargo, not having produced the effects desired was revoked in March, 1809. Other measures were adopted to induce the English to cease their hostilities, but without avail, and in 1812, Congress declared war against Great Britain. This was received by the British rather contemptuously—as they felt their own superiority in strength and numbers, styling themselves the "Lords of the ocean." Soon after the beginning of the war, our government thought best to secure the command of the Lakes, and Perry obtained permission to join the naval forces there under the command of Commodore Chauncey. In March, 1813, Perry was appointed with the rank of Master Commandant to superintend the building and fitting out of a naval force and to command upon Lake Erie, where the British had undisputed possession. Early in August the vessels Niagara and Lawrence, together with several others, were fitted for service—although they were but poorly manned for the great battle



hours the Lawrence bore the brunt of the battle, until she lay almost a wreck upon the water. The deck was a scene of carnage and it needed a heroic soul to continue the conflict. The other vessels had fought nobly, excepting the Niagara, Captain Elliott, the staunchest one of the fleet, which had kept outside and was yet unhurt. As she drew near the Lawrence, Perry donned the uniform of his rank, that he might properly receive the British commander as a prisoner, took down his broad pennant and the banner bearing the memorable words of Lawrence, "Don't give up the ship", entered a boat with his brother, Matthew Calbraith Perry (then fourteen years of age), and with four brawny seamen at the oars was pulled away on a perilous trip to the Niagara. Perry stood upright in the boat, the pennant and banner partly wrapped about him. Barclay, the British commander, had been wounded, and when informed of Perry's daring act and realizing the consequence of his reaching the Niagara, ordered big and little guns to be trained upon the row boat. Amid this shower of shot for about fifteen minutes the boat moved on and the gallant commander reached the deck of the Niagara in safety. Hoisting his pennant he dashed through the enemy's line and eight minutes later the colors of the British flag ship were struck, all but two of the fleet sur-

which soon followed. Already several victories had been gained by our despised little navy of the lakes. Our naval officers proved most valiant men for the work entrusted to them, but it remained for Oliver Hazard Perry with his squadron to complete the destruction of the enemy on the lakes by the decisive battle on Lake Erie, September 10th, 1813. In a letter to General Harrison, who was in command of the land forces against the British, Perry said: "We have met the enemy and they are ours, two ships, two brigs, one schooner and one sloop." The news of this victory produced general rejoicing throughout our country. In all the large cities illuminations took place with other demonstrations of joy. Perry was promoted to the rank of captain in the navy of the United States. Congress adopted resolutions tendering their thanks to him and through him to the officers, seamen and marines attached to the squadron under his command. A gold medal was also awarded Perry emblematic of the action between the two squadrons, other honors were tendered him, and testimonials bestowed upon him by the citizens of different cities. In the summer of 1819 Captain Perry was ordered on an expedition to Angostura, then the capital of the Venezuelan Republic. Upon his arrival there he was received with much attention, and after the fulfillment of his mission he proceeded down the Orinoco on his way to Port Spain where his warship, the John Adams, was stationed. Soon after sailing he was attacked with yellow fever, from which he died after being transferred to the John Adams. He was buried at Port Spain, with every mark of respect from the civil and military authorities. Later his remains were taken to Newport, where a monument marks his resting place. He died at the age of 34 years, two days after the anniversary of his birth. He left a wife, who was Miss Elizabeth Mason of Newport, and four children, three sons and a daughter. At the unveiling of the statue erected to his memory in Newport in 1886, the Hon. Wm. P. Sheffield in an address said: "Oliver Hazard Perry needs no monument of bronze or tablet to commemorate his name or to illustrate his glory. History has taken these into its keeping and will preserve them for posterity, while genius in battle and heroic valor and unfaltering energy in the performance of high duty receives the homage of the American people."

rendering. These made an attempt to escape, but were pursued and brought back late in the evening by the Scorpion. Victory once assured, Perry sat down, took from his pocket an old letter and resting it upon the top of his cap, wrote his famous message to General Harrison: "We have met the enemy and they are ours; two Ships, two Brigs, one Schooner and one Sloop".

For this gallant exploit Perry received the thanks of the government, a gold medal was presented to him, and the Common Council of Albany presented him a beautiful sword.' Another gold medal was presented to Captain Elliott, with a silver medal to each man who took



THE JUDGE FREEMAN PERRY HOMESTEAD PREMISES.

The birthplace of Commodore Oliver Hazard Perry. The home in which the Commodore was born was demolished soon after the battle of Lake Erie, and some of the lumber was used in building this gambrel roofed structure. The house is situated at Matunoc, in Perryville, South Kingstown.

part. In the engagement the Americans lost twenty-seven killed and ninety-six wounded. The British loss was about two hundred killed and six hundred made prisoners. Perry was promoted to a captaincy and afterwards assisted Harrison in retaking Detroit late in that year. In 1815 he commanded the Java in Decatur's Mediterranean squadron, and in 1819 was sent against the pirates in the East Indies, where he died of yellow fever on the 23d of August, of that year, at thirty-four

'This sword with the cotton jacket worn by Perry on that victorious day are carefully preserved in the Cabinet of the Rhode Island Historical Society.

years of age. Matthew Calbraith Perry, the brother of the commodore before mentioned, entered the navy as a midshipman in 1809, and continued in the service during most of his life.

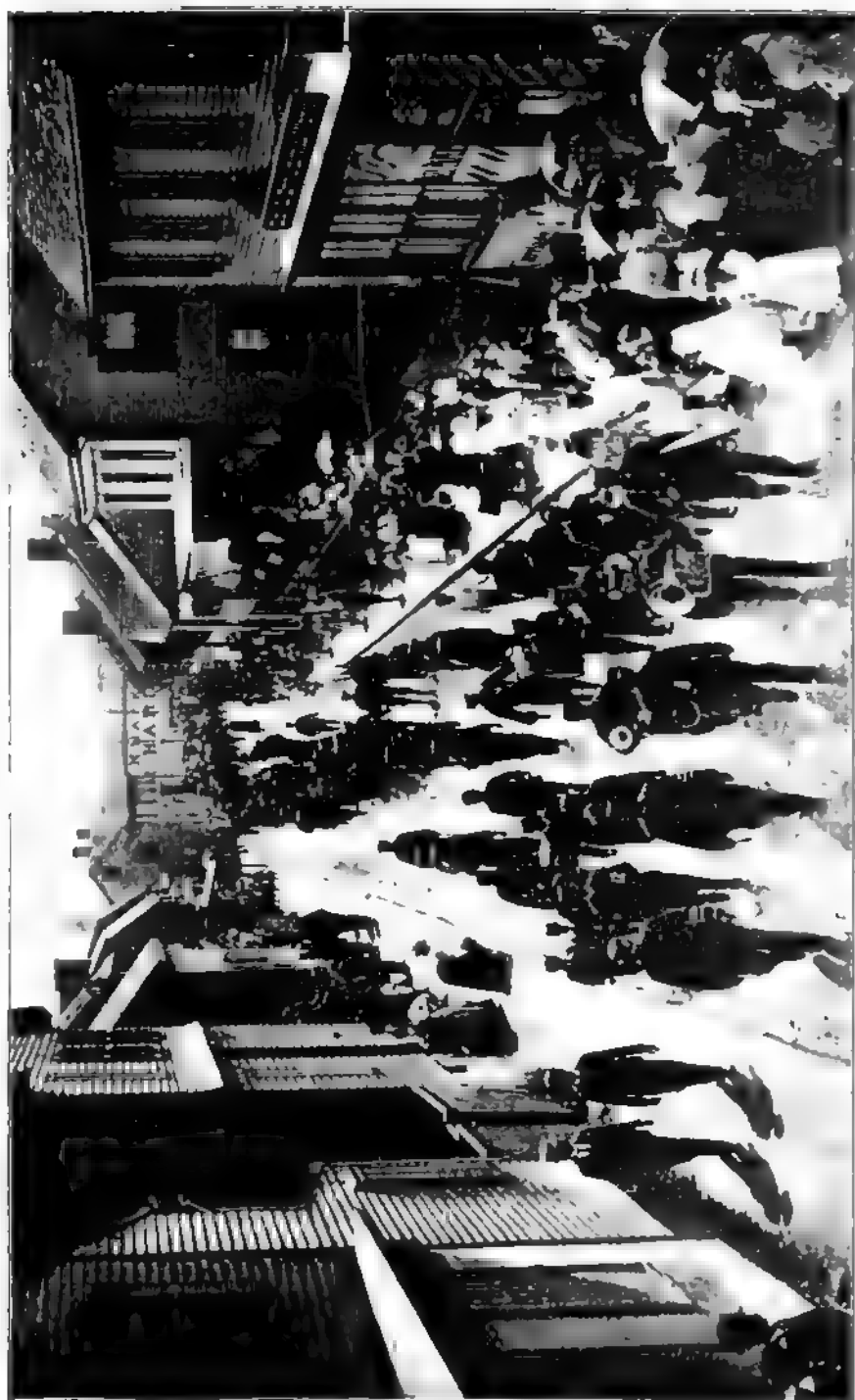
During the years 1813 and 1814, Commodore Chauncey continued his operations on Lake Ontario, in which he was in the main successful, and McDonough fought his brilliant engagement on Lake Champlain in July, 1814.

After waging offensive warfare upon the enemy nearly two years the Americans were compelled to act more upon the defensive. The entire sea coast from the St. Croix to the St. Mary's and the Gulf of Mexico to New Orleans, was menaced by British squadrons and troops. The fortifications about Providence and Newport were placed in better condition for resistance to possible attack. On the 4th of October, 1813, the privateer Dart, belonging to the enemy and having in charge a ship, a brig, and a schooner, hovered about Newport waters. The revenue cutter Vigilant, Capt. John Cahoon, manned with Newport volunteers and seamen, pursued and captured her with little resistance. There were many other privateers sent out from Rhode Island in this war, but they were not so active as in former times. The enforcement of the embargo act of December 17, 1813, and the blockade of ports, caused almost complete suspension of commercial business in Newport and Providence. On the 30th of May, 1814, a Swedish brig attempted to violate the blockade and was chased ashore by the British brig Nimrod in the East Passage on Smith's beach; she was burned the next day. At about the same time the barges from the Nimrod chased two sloops ashore in the same passage, but the militia in Little Compton gathered in force and prevented the enemy from taking possession of the sloops.

Rhode Island had every reason to be proud of the part she took in the naval operations during this war. Peace was declared in February, 1815, and the news was welcomed with joy throughout the country.

With the beginning of the Southern Rebellion in 1861 it became apparent at the outset that a close blockade of all ports from Cape Charles to the Rio Grande would be necessary. In the words of General Scott, it was of the greatest importance to "stop the rat holes". This required a large navy and created an embarrassing emergency. It was far easier for the government to raise a vast army than to put afloat a navy of two hundred vessels; but the work was undertaken with vigor. Steamers and sailing craft were purchased and altered for the service, and in addition to these the government availed itself of offers from many patriotic citizens.

When the first call for troops was made in April, 1861, Capt. Thomas P. Ives, of Providence (son of Moses B. Ives), was in ill health and could not volunteer, as he would have otherwise done, in the first



PARADE OF RHODE ISLAND U. S. NAVAL VOLUNTEERS, NEWPORT, JULY 4, 1896.

regiment to leave the State for the seat of war. He was a lover of the sea and well versed in nautical affairs. In the preceding autumn he had built for his own use a large and fast yacht, and while still confined to his house he sent for General James and made a contract with him to arm the yacht with cannon of his invention. As soon as his health was restored he offered this vessel and his own services to the government. The offer was accepted and Captain Ives was temporarily commissioned as lieutenant in the revenue service and stationed during the summer of 1861 in Chesapeake Bay, where he was engaged in the suppression of the contraband traffic then active in that region. For his service there he won frequent expressions of approval from the commander at Fort McHenry. This feature of naval service soon became unnecessary, but previous to that Captain Ives was invited by General Burnside to accompany him on his North Carolina expedition. For this purpose he was commissioned captain of the steamer Pickett, which took a prominent part as a gunboat in most of the marine operations of Burnside, particularly at Roanoke Island and in the approaches to Newbern. Early in the summer of 1862, this service having been accomplished, Ives resigned his commission, but soon again offered his services at sea. In August he was commissioned and assigned to command the gunboat Yankee, which was attached to the Potomac flotilla. He was subsequently promoted to fleet captain of the flotilla and gave efficient service. In December, 1863, he was detached and assigned to duty in Providence as inspector of ordnance.

Other citizens of Rhode Island made generous offers of aid to the State government in its period of greatest need. Among these the manufacturing firm of A. & W. Sprague offered a loan of \$100,000, and similar offers were made by some of the Rhode Island banks.

It is impossible at this time to follow the fortunes of many of the Rhode Island volunteers in the navy of the Rebellion. This is due chiefly to the fact that as far as relates to seamen at least, no records are accessible showing to what vessels they were assigned, and also that by far the larger part of the enlistments of sailors from this State were made at New Bedford. The report of the adjutant-general shows that sixty-six volunteer officers and thirty-seven regular officers were appointed to the naval service from the State, while there are credited to the quota of the State more than two thousand seamen; but very many of these were not natives of Rhode Island.

The first official reference to Rhode Island naval affairs in connection with the late Spanish War was a letter addressed by Governor Dyer to the secretary of the navy, on January 1, 1898, asking if an inspecting officer had been appointed for the naval battalion of the State, and if so, whether he could assist that official in any way. Steps had already been taken to furnish troops in response to any call that

might be made by the government, and to place the State militia and the naval battalion on a war basis. In answer to a request from the adjutant-general of the State, March 1, 1898, W. McCarty Little, commander of the Naval Battalion, supplied a list of all steam vessels entered at the Newport custom house, and other information regarding various vessels.

On the 5th of March, 1898, Governor Dyer took steps to secure a thirty-foot cutter for the Providence division of the naval militia. On the 31st of that month the adjutant-general of the State was requested by the Navy Department to put the naval militia of the State in condition to meet any sudden call of the general government, and directing an inspection of all vessels in the ports of the State with reference to their utilization in a mosquito fleet. On the 1st of April Governor Dyer informed the Navy Department that the naval militia of the State was ready for service. About the middle of that month information was received from the Navy Department of the intention of establishing coast signal stations, and asking the co-operation of State authorities. The final result of this action was the erection and manning of a station on Block Island. The first call of the president for troops was dated April 20, 1898, and military and naval enthusiasm prevailed at once throughout the State. The next day an appropriation of \$150,000 was voted by the General Assembly for military and naval expenses. On the 26th the Assembly amended a section of Chapter 296 of the General Laws so that it provided that "in addition to the organizations comprising the active militia, there shall be allowed four companies of naval militia, designated as follows: One company of naval reserve artillery, located in Providence; one naval reserve torpedo company, located at Newport; one naval reserve torpedo company, located at Bristol; and one company of naval reserve artillery, located in East Providence; which shall constitute a naval battalion, to be known as the naval battalion of the Rhode Island militia."

In the latter part of April Commander W. McCarty Little, of the naval battalion, was ordered upon active duty on the *Constellation*; but such strenuous opposition was at once manifested by the State authorities that the order was revoked on the 29th of that month. The men of the naval battalion during this time were anxious for active service; but through delays and misunderstanding in regard to their being given a physical examination, they were kept for some time at the Newport training station, whither they were ordered about the 1st of May for preliminary instruction. On May 12 Governor Dyer was notified that orders had been given for mustering in the naval reserves, but they were to remain in camp on Coaster's Island Harbor until they could be assigned. At the same time Commander Little communicated to the Navy Department that there were in the bat-



talion one hundred and fifty men and twelve officers ready for service for a term of one year. On the 17th an order was given to muster in the battalion and send them on board the Constellation; instructions were sent to Commander Little to report to the commandant of the naval station at Newport for muster. The commander was also informed that the duties of the battalion would be on patrol vessels on the Rhode Island coast, except in a possible special emergency. On the 30th of May the Rhode Island naval battalion had been mustered into the United States service and was on duty aboard the Constellation. On the 18th of June application was made to the Navy Department for a patrol vessel for Narragansett Bay. In the latter part of that month a list of officers for appointment in the naval battalion was sent to the Navy Department, but owing to various delays the commissions did not arrive until in July; the pay of the naval officers began on July 2.

For a short time the converted yacht Kanawa was assigned to Rhode Island for the use of the naval militia.

In summarizing the work of the Rhode Island troops and naval militia in this war in his message of January 31, 1899, Governor Dyer wrote as follows:

“During the month of May application was made to the Secretary of the Navy to permit our naval militia to enter the naval service of the United States, and that department accepted 152 officers and men. During the summer they were quartered either upon the U. S. S. Constellation, Newport, or at League Island, Philadelphia, and upon one or two monitors which were never in commission.”

The men who entered the naval service, being assigned to different ships, were not mustered out of service at one time; the greater number of them, however, were mustered out in August, 1898, and a service, which at the beginning seemed to promise much of actual warfare, came to an end. Although these men did not face the enemy behind the guns, yet they performed a service which entitles them to fill an honorable position in the history of the war with Spain.

*A. P. Smith*

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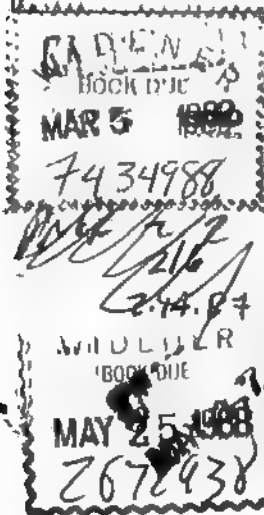
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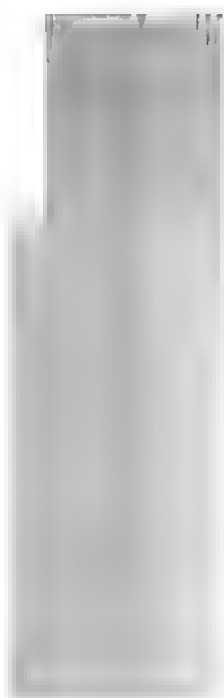
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